

By the Committees on Fiscal Policy; and Transportation; and  
Senator DiCeglie

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1                                   A bill to be entitled  
2           An act relating to the Department of Highway Safety  
3           and Motor Vehicles; amending s. 207.004, F.S.;  
4           requiring the department or its authorized agent to  
5           issue certain licenses and fuel tax decals; amending  
6           s. 316.066, F.S.; requiring all entities required to  
7           submit crash reports to provide uniform crash reports  
8           to the department using a certain electronic form and  
9           reporting method; defining the term "nonproprietary";  
10          requiring that such crash reports be consistent with  
11          certain rules and procedures and be numbered and  
12          inventoried; revising the parties to which crash  
13          reports must be made immediately available; providing  
14          a declaration of important state interest; amending s.  
15          316.2935, F.S.; providing an exception to requirements  
16          for certification of air pollution control equipment  
17          by a motor vehicle seller, lessor, or transferor;  
18          amending s. 316.302, F.S.; revising the list of  
19          federal rules and regulations to which owners and  
20          drivers of certain commercial motor vehicles are  
21          subject; amending s. 319.14, F.S.; requiring that a  
22          certificate of title for a flood vehicle specify the  
23          type of water that caused damage to the vehicle, as  
24          applicable; revising the definition of the term "flood  
25          vehicle"; making technical changes; amending s.  
26          319.23, F.S.; making technical changes; amending s.  
27          319.28, F.S.; providing that a certain affidavit  
28          constitutes proof of ownership and right of possession  
29          to a motor vehicle or mobile home the previous owner

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30 of which died testate; amending s. 319.29, F.S.;

31 prohibiting the department or a tax collector from

32 charging a fee for reissuance of certain certificates

33 of title; amending s. 319.30, F.S.; revising the

34 definition of the terms "independent entity" and

35 "major component parts"; defining the term "vessel";

36 extending current requirements for an independent

37 entity's release of a damaged or dismantled vehicle to

38 include vessels; authorizing the independent entity to

39 apply for certain certificates for an unclaimed

40 vessel; providing requirements for such application;

41 specifying provisions to which the independent entity

42 is subject; prohibiting the independent entity from

43 charging vessel storage fees; amending s. 320.06,

44 F.S.; authorizing permanent registration of certain

45 rental trucks; authorizing the department to deem a

46 license plate with reduced dimensions to be necessary

47 to accommodate trailers; making technical changes;

48 amending s. 320.0605, F.S.; authorizing a uniform

49 paper or electronic format of the registration

50 certificate for a motor vehicle; specifying that

51 presenting an electronic registration certificate to a

52 law enforcement officer or agent does not constitute

53 consent for the officer or agent to access certain

54 information; making technical changes; amending s.

55 320.08056, F.S.; deleting plate registration

56 requirements for out-of-state college or university

57 license plates; providing applicability; amending s.

58 320.08058, F.S.; revising requirements regarding

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59 collegiate license plates; authorizing the department  
60 to reauthorize discontinued collegiate license plates  
61 under certain circumstances; revising the distribution  
62 of annual use fees for the "Protect Florida Springs"  
63 license plate; revising the design requirements of the  
64 "American Eagle" license plate; defining the term  
65 "immediate relative"; revising eligibility  
66 requirements for the "Divine Nine" license plate;  
67 renaming the "Give the Kids the World" specialty  
68 license plate as the "Universal Orlando Resort"  
69 specialty license plate; directing the department to  
70 develop a "Florida Association of Realtors" license  
71 plate; providing for distribution and use of fees  
72 collected from the sale of the plate; amending s.  
73 320.084, F.S.; providing that certain disabled  
74 veterans may, upon request, be issued a military  
75 license plate or specialty license plate in lieu of a  
76 "DV" license plate; specifying applicable fees;  
77 specifying nonapplicability of certain provisions;  
78 amending s. 322.01, F.S.; revising definitions;  
79 defining the term "downgrade"; amending s. 322.02,  
80 F.S.; charging the department with enforcement and  
81 administration of certain federal provisions; amending  
82 s. 322.05, F.S.; prohibiting the department from  
83 issuing a commercial motor vehicle operator license to  
84 certain persons; amending s. 322.07, F.S.; revising  
85 requirements for issuance of a temporary commercial  
86 instruction permit; amending s. 322.141, F.S.;

87 requiring that certain information on the driver

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88 license or identification card of a sexual offender or  
89 sexual predator be printed in red; amending s.  
90 322.142, F.S.; authorizing the department to issue  
91 reproductions of certain files and records to certain  
92 criminal justice or driver licensing agencies for  
93 certain purposes; amending s. 322.21, F.S.;

94 authorizing reinstatement of a commercial driver  
95 license after a downgrade of the person's privilege to  
96 operate a commercial motor vehicle under certain  
97 circumstances; making technical changes; creating s.  
98 322.591, F.S.; requiring the department to obtain a  
99 driver's record from the Commercial Driver's License  
100 Drug and Alcohol Clearinghouse under certain  
101 circumstances; prohibiting the department from  
102 issuing, renewing, transferring, or revising the types  
103 of authorized vehicles or the endorsements of certain  
104 commercial driver licenses or commercial instruction  
105 permits if the department receives a certain  
106 notification; requiring the department to downgrade a  
107 commercial driver license or commercial instruction  
108 permit within a specified timeframe if the department  
109 receives a certain notification; requiring the  
110 department to notify certain drivers of their  
111 prohibition from operating a commercial motor vehicle  
112 and, upon request, afford them an opportunity for an  
113 informal hearing; providing requirements for such  
114 notice and hearing; requiring the department to enter  
115 a final order to downgrade a commercial driver license  
116 or commercial instruction permit under certain

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117 circumstances; specifying that a request for a hearing  
118 tolls certain deadlines; specifying that certain  
119 notifications received by the department must be in  
120 the record for consideration and are self-  
121 authenticating; specifying that the basis for the  
122 notification and the information in the Commercial  
123 Driver's License Drug and Alcohol Clearinghouse is not  
124 subject to challenge; requiring the department to  
125 dismiss the downgrade of a commercial driver license  
126 or commercial instruction permit under certain  
127 circumstances; requiring the department to record in  
128 the driver's record that he or she is disqualified  
129 from operating a commercial motor vehicle under  
130 certain circumstances; specifying that certain actions  
131 are not stayed during the pendency of certain  
132 proceedings; requiring the department to reinstate a  
133 commercial driver license or commercial instruction  
134 permit under certain circumstances; exempting the  
135 department from liability for certain commercial  
136 driver license or commercial instruction permit  
137 downgrades; designating the exclusive procedure for  
138 the downgrade of certain commercial driver licenses or  
139 commercial instruction permits; providing construction  
140 and applicability; authorizing the department to issue  
141 at no cost a specified driver license to certain  
142 persons prohibited from operating a commercial motor  
143 vehicle; amending ss. 322.34 and 322.61, F.S.;  
144 conforming cross-references; making technical changes;  
145 amending ss. 324.0221, 324.131, 627.311, and 627.351,

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146 F.S.; conforming provisions to changes made by the  
147 act; making technical changes; amending s. 627.7275,  
148 F.S.; deleting provisions relating to noncancelable  
149 motor vehicle insurance; making technical changes;  
150 providing effective dates.

151  
152 Be It Enacted by the Legislature of the State of Florida:

153  
154 Section 1. Paragraph (a) of subsection (1) of section  
155 207.004, Florida Statutes, is amended to read:

156 207.004 Registration of motor carriers; identifying  
157 devices; fees; renewals; temporary fuel-use permits and  
158 driveaway permits.—

159 (1) (a) A ~~No~~ motor carrier may not ~~shall~~ operate or cause to  
160 be operated in this state any commercial motor vehicle, other  
161 than a Florida-based commercial motor vehicle that travels  
162 Florida intrastate mileage only, that uses diesel fuel or motor  
163 fuel until such carrier has registered with the department or  
164 has registered under a cooperative reciprocal agreement as  
165 described in s. 207.0281, after such time as this state enters  
166 into such agreement, and has been issued an identifying device  
167 or such carrier has been issued a permit as authorized under  
168 subsections (4) and (5) for each vehicle operated. The fee for  
169 each such identifying device issued is ~~There shall be a fee of~~  
170 ~~\$4 per year or any fraction thereof for each such identifying~~  
171 ~~device issued.~~ The identifying device must ~~shall~~ be provided by  
172 the department and must be conspicuously displayed on the  
173 commercial motor vehicle as prescribed by the department while  
174 it is being operated on the public highways of this state. The

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175 transfer of an identifying device from one vehicle to another  
176 vehicle or from one motor carrier to another motor carrier is  
177 prohibited. The department or its authorized agent shall issue  
178 licenses and fuel tax decals.

179 Section 2. Effective July 1, 2025, section 316.066, Florida  
180 Statutes, as amended by section 1 of chapter 2022-198, Laws of  
181 Florida, is amended to read:

182 316.066 Written reports of crashes; electronic submission.—

183 (1) (a) All entities required to submit crash reports must  
184 provide uniform crash reports by electronic means to the  
185 department using a nonproprietary, interchangeable electronic  
186 form and reporting method. For purposes of this paragraph, the  
187 term "nonproprietary" means commonly used and commercially  
188 available report formats and reporting methods. Such crash  
189 reports must be consistent with state traffic crash manual rules  
190 and with procedures established by the department and must be  
191 appropriately numbered and inventoried. A Florida Traffic Crash  
192 Report, Long Form must be completed and electronically submitted  
193 to the department within 10 days after an investigation is  
194 completed by the law enforcement officer who in the regular  
195 course of duty investigates a motor vehicle crash that:

196 1. Resulted in death of, personal injury to, or any  
197 indication of complaints of pain or discomfort by any of the  
198 parties or passengers involved in the crash;

199 2. Involved a violation of s. 316.061(1) or s. 316.193;

200 3. Rendered a vehicle inoperable to a degree that required  
201 a wrecker to remove it from the scene of the crash; or

202 4. Involved a commercial motor vehicle.

203 (b) The Florida Traffic Crash Report, Long Form must

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204 include:

- 205 1. The date, time, and location of the crash.
- 206 2. A description of the vehicles involved.
- 207 3. The names and addresses of the parties involved,  
208 including all drivers and passengers, and the identification of  
209 the vehicle in which each was a driver or a passenger.
- 210 4. The names and addresses of witnesses.
- 211 5. The name, badge number, and law enforcement agency of  
212 the officer investigating the crash.
- 213 6. The names of the insurance companies for the respective  
214 parties involved in the crash.

215 (c) In any crash for which a Florida Traffic Crash Report,  
216 Long Form is not required by this section and which occurs on  
217 the public roadways of this state, the law enforcement officer  
218 shall complete a short-form crash report or provide a driver  
219 exchange-of-information form, to be completed by all drivers and  
220 passengers involved in the crash, which requires the  
221 identification of each vehicle that the drivers and passengers  
222 were in. The short-form report must include:

- 223 1. The date, time, and location of the crash.
- 224 2. A description of the vehicles involved.
- 225 3. The names and addresses of the parties involved,  
226 including all drivers and passengers, and the identification of  
227 the vehicle in which each was a driver or a passenger.
- 228 4. The names and addresses of witnesses.
- 229 5. The name, badge number, and law enforcement agency of  
230 the officer investigating the crash.
- 231 6. The names of the insurance companies for the respective  
232 parties involved in the crash.



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233 (d) Each party to the crash must provide the law  
234 enforcement officer with proof of insurance, which must be  
235 documented in the crash report. If a law enforcement officer  
236 submits a report on the crash, proof of insurance must be  
237 provided to the officer by each party involved in the crash. Any  
238 party who fails to provide the required information commits a  
239 noncriminal traffic infraction, punishable as a nonmoving  
240 violation as provided in chapter 318, unless the officer  
241 determines that due to injuries or other special circumstances  
242 such insurance information cannot be provided immediately. If  
243 the person provides the law enforcement agency, within 24 hours  
244 after the crash, proof of insurance that was valid at the time  
245 of the crash, the law enforcement agency may void the citation.

246 (e) The driver of a vehicle that was in any manner involved  
247 in a crash resulting in damage to a vehicle or other property  
248 which does not require a law enforcement report shall, within 10  
249 days after the crash, submit a written report of the crash to  
250 the department. The report must ~~shall~~ be submitted on a form  
251 approved by the department.

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

255 (2) (a) Crash reports that reveal the identity, home or  
256 employment telephone number or home or employment address of, or  
257 other personal information concerning the parties involved in  
258 the crash and that are held by an agency, as defined in s.  
259 119.011, are confidential and exempt from s. 119.07(1) and s.  
260 24(a), Art. I of the State Constitution for a period of 60 days  
261 after the date the report is filed.

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262 (b) Crash reports held by an agency under paragraph (a) may  
263 be made immediately available to the parties involved in the  
264 crash, their legal representatives, their licensed insurance  
265 agents, their insurers or insurers to which they have applied  
266 for coverage, persons under contract with such insurers to  
267 provide claims or underwriting information, law enforcement  
268 agencies and their contracted service providers, victim services  
269 programs, and any federal, state, or local governmental agency  
270 or any private person or entity acting on behalf of a federal,  
271 state, or local governmental agency in carrying out its  
272 functions, but not for redistribution to any person or entity  
273 not listed in this subsection. Crash reports held by an agency  
274 under paragraph (a) which do not contain the home or employment  
275 street addresses, driver license or identification card numbers,  
276 dates of birth, and home and employment telephone numbers of the  
277 parties involved in the crash shall be made immediately  
278 available to radio and television stations licensed by the  
279 Federal Communications Commission and newspapers qualified to  
280 publish legal notices under ss. 50.011 and 50.031. A crash  
281 report may also be made available to any third party acting on  
282 behalf of a person or entity authorized under this section to  
283 access the crash report, except that the third party may  
284 disclose the crash report only to the person or entity  
285 authorized to access the crash report under this section on  
286 whose behalf the third party has sought the report. This section  
287 shall not prevent an agency, pursuant to a memorandum of  
288 understanding, from providing data derived from crash reports to  
289 a third party solely for the purpose of identifying vehicles  
290 involved in crashes if such data does not reveal the identity,

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291 home or employment telephone number or home or employment  
292 address, or other personal information of the parties involved  
293 in the crash.

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

298 (d) As a condition precedent to accessing a crash report, a  
299 person must present a valid driver license or other photographic  
300 identification, proof of status, or identification that  
301 demonstrates his or her qualifications to access that  
302 information and file a written sworn statement with the state or  
303 local agency in possession of the information stating that  
304 information from a crash report made confidential and exempt by  
305 this section will not be used for any commercial solicitation of  
306 accident victims or knowingly disclosed to any third party for  
307 the purpose of such solicitation. Such written sworn statement  
308 must be completed and sworn to by the requesting party for each  
309 individual crash report that is being requested. In lieu of  
310 requiring the written sworn statement, an agency may provide  
311 crash reports by electronic means pursuant to a memorandum of  
312 understanding to third-party vendors under contract with one or  
313 more insurers, but only when such contract states that  
314 information from a crash report made confidential and exempt by  
315 this section will not be used for any commercial solicitation of  
316 accident victims by the vendors, or knowingly disclosed by the  
317 vendors to any third party for the purpose of such solicitation,  
318 and only when a copy of such contract is furnished to the agency  
319 as proof of the vendor's claimed status.

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320 (e) This subsection does not prevent the dissemination or  
321 publication of news to the general public by any legitimate  
322 media entitled to access confidential and exempt information  
323 pursuant to this section.

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

330 (g) If crash reports are created by or submitted to an  
331 agency electronically as data elements within a computerized  
332 database or if personal information from a crash report is  
333 entered into a computerized database, such crash data held by an  
334 agency is confidential and exempt from s. 119.07(1) and s.  
335 24(a), Art. I of the State Constitution. Sixty days after the  
336 date the crash report is filed, an agency may provide crash data  
337 derived from the crash report which includes personal  
338 information to entities eligible to access the crash report  
339 under paragraph (b), or in accordance with any of the  
340 permissible uses listed in 18 U.S.C. s. 2721(b) and pursuant to  
341 the resale and redisclosure requirements in 18 U.S.C. s.  
342 2721(c). Such data shall be provided pursuant to a memorandum of  
343 understanding.

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

348 (3) (a) Any driver failing to file the written report

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349 required under subsection (1) commits a noncriminal traffic  
350 infraction, punishable as a nonmoving violation as provided in  
351 chapter 318.

352 (b) Any employee of a state or local agency in possession  
353 of information made confidential and exempt by this section who  
354 knowingly discloses such confidential and exempt information to  
355 a person not entitled to access such information under this  
356 section commits a felony of the third degree, punishable as  
357 provided in s. 775.082, s. 775.083, or s. 775.084.

358 (c) Any person, knowing that he or she is not entitled to  
359 obtain information made confidential and exempt by this section,  
360 who obtains or attempts to obtain such information commits a  
361 felony of the third degree, punishable as provided in s.  
362 775.082, s. 775.083, or s. 775.084.

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

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

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

377 2. Punitive damages upon proof of willful or reckless

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378 disregard of the law.

379 3. Reasonable attorney fees and other litigation costs  
380 reasonably incurred.

381 4. Such other preliminary and equitable relief as the court  
382 determines to be appropriate.

383

384 This paragraph does not apply to radio and television stations  
385 licensed by the Federal Communications Commission and newspapers  
386 qualified to publish legal notices under ss. 50.011 and 50.031.

387 (4) Except as specified in this subsection, each crash  
388 report made by a person involved in a crash and any statement  
389 made by such person to a law enforcement officer for the purpose  
390 of completing a crash report required by this section must ~~shall~~  
391 be without prejudice to the individual so reporting. Such report  
392 or statement may not be used as evidence in any trial, civil or  
393 criminal. However, subject to the applicable rules of evidence,  
394 a law enforcement officer at a criminal trial may testify as to  
395 any statement made to the officer by the person involved in the  
396 crash if that person's privilege against self-incrimination is  
397 not violated. The results of breath, urine, and blood tests  
398 administered as provided in s. 316.1932 or s. 316.1933 are not  
399 confidential and are admissible into evidence in accordance with  
400 the provisions of s. 316.1934(2).

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

403 Section 3. The Legislature finds that a proper and  
404 legitimate purpose is served when crash reports required under  
405 s. 316.066, Florida Statutes, are filed electronically with the  
406 Department of Highway Safety and Motor Vehicles by all entities

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407 required to submit crash reports. Electronic filing will  
408 expedite the availability of crash reports to the persons  
409 authorized to receive them, simplify the process of making crash  
410 reports available, and expedite the availability of information  
411 derived from crash reports to improve highway safety. The  
412 requirement of this act that complete crash reports be submitted  
413 electronically to the Department of Highway Safety and Motor  
414 Vehicles applies to all law enforcement agencies that prepare  
415 crash reports submit the completed crash reports electronically  
416 to the Department of Highway Safety and Motor Vehicles applies  
417 to all similarly situated persons, including school district law  
418 enforcement agencies, state university law enforcement agencies,  
419 and state law enforcement agencies. Therefore, the Legislature  
420 determines and declares that the amendments made by this act to  
421 s. 316.066, Florida Statutes, fulfill an important state  
422 interest.

423 Section 4. Paragraph (b) of subsection (1) of section  
424 316.2935, Florida Statutes, is amended to read:

425 316.2935 Air pollution control equipment; tampering  
426 prohibited; penalty.—

427 (1)

428 (b) At the time of sale, lease, or transfer of title of a  
429 motor vehicle, the seller, lessor, or transferor shall certify  
430 in writing to the purchaser, lessee, or transferee that the air  
431 pollution control equipment of the motor vehicle has not been  
432 tampered with by the seller, lessor, or transferor or their  
433 agents, employees, or other representatives. A licensed motor  
434 vehicle dealer shall also visually observe those air pollution  
435 control devices listed by department rule pursuant to subsection

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436 (7), and certify that they are in place, and appear properly  
437 connected and undamaged. Such certification may ~~shall~~ not be  
438 deemed or construed as a warranty that the pollution control  
439 devices of the subject vehicle are in functional condition, nor  
440 does the execution or delivery of this certification create by  
441 itself grounds for a cause of action between the parties to this  
442 transaction. This paragraph does not apply if the purchaser of  
443 the motor vehicle is a lessee purchasing the leased motor  
444 vehicle or if the licensed motor vehicle dealer is not in  
445 possession of the motor vehicle at the time of sale.

446 Section 5. Paragraphs (a), (b), and (e) of subsection (1),  
447 paragraph (d) of subsection (2), and subsection (9) of section  
448 316.302, Florida Statutes, are amended to read:

449 316.302 Commercial motor vehicles; safety regulations;  
450 transporters and shippers of hazardous materials; enforcement.-

451 (1) (a) All owners and drivers of commercial motor vehicles  
452 that are operated on the public highways of this state while  
453 engaged in interstate commerce are subject to the rules and  
454 regulations contained in 49 C.F.R. parts 382, 383, 384, 385,  
455 386, and 390-397.

456 (b) Except as otherwise provided in this section, all  
457 owners and drivers of commercial motor vehicles that are engaged  
458 in intrastate commerce are subject to the rules and regulations  
459 contained in 49 C.F.R. parts 382, 383, 384, 385, 386, and 390-  
460 397, as such rules and regulations existed on December 31, 2022  
461 2020.

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



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

469 (2)

470 (d) A person who operates a commercial motor vehicle solely  
471 in intrastate commerce not transporting any hazardous material  
472 in amounts that require placarding pursuant to 49 C.F.R. part  
473 172 within a 150 air-mile radius of the location where the  
474 vehicle is based need not comply with 49 C.F.R. ss. 395.8 and  
475 395.11 ~~49 C.F.R. s. 395.8~~ if the requirements of 49 C.F.R. s.  
476 395.1(e) (1) (iii) and (iv) ~~49 C.F.R. s. 395.1(e) (1) (ii),~~  
477 ~~(iii)(A) and (C), and (v)~~ are met.

478 (9) For the purpose of enforcing this section, any law  
479 enforcement officer of the Department of Highway Safety and  
480 Motor Vehicles or duly appointed agent who holds a current  
481 safety inspector certification from the Commercial Vehicle  
482 Safety Alliance may require the driver of any commercial vehicle  
483 operated on the highways of this state to stop and submit to an  
484 inspection of the vehicle or the driver's records. If the  
485 vehicle or driver is found to be operating in an unsafe  
486 condition, or if any required part or equipment is not present  
487 or is not in proper repair or adjustment, and the continued  
488 operation would present an unduly hazardous operating condition,  
489 the officer or agent may require the vehicle or the driver to be  
490 removed from service pursuant to the North American Standard  
491 Out-of-Service Criteria, until corrected. However, if continuous  
492 operation would not present an unduly hazardous operating  
493 condition, the officer or agent may give written notice

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494 requiring correction of the condition within 15 days.

495 (a) Any member of the Florida Highway Patrol or any law  
496 enforcement officer employed by a sheriff's office or municipal  
497 police department authorized to enforce the traffic laws of this  
498 state pursuant to s. 316.640 who has reason to believe that a  
499 vehicle or driver is operating in an unsafe condition may, as  
500 provided in subsection (11), enforce the provisions of this  
501 section.

502 (b) Any person who fails to comply with a ~~an officer's~~  
503 request to submit to an inspection under this subsection commits  
504 a violation of s. 843.02 if the person resists the officer  
505 without violence or a violation of s. 843.01 if the person  
506 resists the officer with violence.

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

509 319.14 Sale of motor vehicles registered or used as  
510 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,  
511 nonconforming vehicles, custom vehicles, or street rod vehicles;  
512 conversion of low-speed vehicles.-

513 (1)

514 (b) A person may not knowingly offer for sale, sell, or  
515 exchange a rebuilt vehicle until the department has stamped in a  
516 conspicuous place on the certificate of title for the vehicle  
517 words stating that the vehicle has been rebuilt or assembled  
518 from parts, or is a kit car, glider kit, replica, flood vehicle,  
519 custom vehicle, or street rod vehicle unless proper application  
520 for a certificate of title for a vehicle that is rebuilt or  
521 assembled from parts, or is a kit car, glider kit, replica,  
522 flood vehicle, custom vehicle, or street rod vehicle has been

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523 made to the department in accordance with this chapter and the  
524 department has conducted the physical examination of the vehicle  
525 to assure the identity of the vehicle and all major component  
526 parts, as defined in s. 319.30(1), which have been repaired or  
527 replaced. If a vehicle is identified as a flood vehicle, the  
528 words stamped on the certificate of title must identify the type  
529 of water that caused damage to the vehicle as "salt water,"  
530 "fresh water," or "other or unknown water type," as applicable.  
531 Thereafter, the department shall affix a decal to the vehicle,  
532 in the manner prescribed by the department, showing the vehicle  
533 to be rebuilt.

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

535 ~~9.1.~~ "Police vehicle" means a motor vehicle owned or leased  
536 by the state or a county or municipality and used in law  
537 enforcement.

538 ~~13.2.a.~~ "Short-term-lease vehicle" means a motor vehicle  
539 leased without a driver and under a written agreement to one or  
540 more persons from time to time for a period of less than 12  
541 months.

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

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

547 ~~10.3.~~ "Rebuilt vehicle" means a motor vehicle or mobile  
548 home built from salvage or junk, as defined in s. 319.30(1).

549 ~~1.4.~~ "Assembled from parts" means a motor vehicle or mobile  
550 home assembled from parts or combined from parts of motor  
551 vehicles or mobile homes, new or used. The term "assembled from

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552 parts" does not include ~~mean a motor vehicle defined as a~~  
553 "rebuilt vehicle" as defined in subparagraph 10. ~~in subparagraph~~  
554 ~~3.7,~~ which has been declared a total loss pursuant to s. 319.30.

555 5. "Kit car" means a motor vehicle assembled with a kit  
556 supplied by a manufacturer to rebuild a wrecked or outdated  
557 motor vehicle with a new body kit.

558 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit  
559 supplied by a manufacturer to rebuild a wrecked or outdated  
560 truck or truck tractor.

561 ~~11.7.~~ "Replica" means a complete new motor vehicle  
562 manufactured to look like an old vehicle.

563 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home  
564 that has been declared to be a total loss pursuant to s.  
565 319.30(3)(a) resulting from damage caused by salt water, fresh  
566 water, or other or unknown type of water.

567 ~~8.9.~~ "Nonconforming vehicle" means a motor vehicle that  
568 ~~which~~ has been purchased by a manufacturer pursuant to a  
569 settlement, determination, or decision under chapter 681.

570 ~~12.10.~~ "Settlement" means an agreement entered into between  
571 a manufacturer and a consumer which ~~that~~ occurs after a dispute  
572 is submitted to a program, or to an informal dispute settlement  
573 procedure established by a manufacturer, or is approved for  
574 arbitration before the Florida New Motor Vehicle Arbitration  
575 Board as defined in s. 681.102.

576 ~~2.11.~~ "Custom vehicle" means a motor vehicle that:

577 a. Is 25 years of age or older and of a model year after  
578 1948 or was manufactured to resemble a vehicle that is 25 years  
579 of age or older and of a model year after 1948; and

580 b. Has been altered from the manufacturer's original design

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581 or has a body constructed from nonoriginal materials.

582

583 The model year and year of manufacture that the body of a custom  
584 vehicle resembles is the model year and year of manufacture  
585 listed on the certificate of title, regardless of when the  
586 vehicle was actually manufactured.

587 14.12. "Street rod" means a motor vehicle that:

588 a. Is of a model year of 1948 or older or was manufactured  
589 after 1948 to resemble a vehicle of a model year of 1948 or  
590 older; and

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

593

594 The model year and year of manufacture that the body of a street  
595 rod resembles is the model year and year of manufacture listed  
596 on the certificate of title, regardless of when the vehicle was  
597 actually manufactured.

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

600 319.23 Application for, and issuance of, certificate of  
601 title.—

602 (3) If a certificate of title has not previously been  
603 issued for a motor vehicle or mobile home in this state, the  
604 application must, unless otherwise provided for in this chapter,  
605 ~~shall~~ be accompanied by a proper bill of sale or sworn statement  
606 of ownership, or a duly certified copy thereof, or by a  
607 certificate of title, bill of sale, or other evidence of  
608 ownership required by the law of the state or country ~~county~~  
609 from which the motor vehicle or mobile home was brought into

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610 this state. The application must ~~shall~~ also be accompanied by:

611 (a)1. A sworn affidavit from the seller and purchaser  
612 verifying that the vehicle identification number shown on the  
613 affidavit is identical to the vehicle identification number  
614 shown on the motor vehicle; or

615 2. An appropriate departmental form evidencing that a  
616 physical examination has been made of the motor vehicle by the  
617 owner and by a duly constituted law enforcement officer in any  
618 state, a licensed motor vehicle dealer, a license inspector as  
619 provided by s. 320.58, or a notary public commissioned by this  
620 state and that the vehicle identification number shown on such  
621 form is identical to the vehicle identification number shown on  
622 the motor vehicle; and

623 (b) If the vehicle is a used car original, a sworn  
624 affidavit from the owner verifying that the odometer reading  
625 shown on the affidavit is identical to the odometer reading  
626 shown on the motor vehicle in accordance with the requirements  
627 of 49 C.F.R. s. 580.5 at the time that application for title is  
628 made. For the purposes of this section, the term "used car  
629 original" means a used vehicle coming into and being titled in  
630 this state for the first time.

631 (c) If the vehicle is an ancient or antique vehicle, as  
632 defined in s. 320.086, the application must ~~shall~~ be accompanied  
633 by a certificate of title; a bill of sale and a registration; or  
634 a bill of sale and an affidavit by the owner defending the title  
635 from all claims. The bill of sale must contain a complete  
636 vehicle description to include the vehicle identification or  
637 engine number, year make, color, selling price, and signatures  
638 of the seller and purchaser.

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639

640 Verification of the vehicle identification number is not  
641 required for any new motor vehicle; any mobile home; any trailer  
642 or semitrailer with a net weight of less than 2,000 pounds; or  
643 any travel trailer, camping trailer, truck camper, or fifth-  
644 wheel recreation trailer.

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

649 319.28 Transfer of ownership by operation of law.—

650 (1)

651 (c) If the previous owner died testate and the application  
652 for a certificate of title is made by, and accompanied by an  
653 affidavit attested by, a Florida-licensed attorney in good  
654 standing with The Florida Bar who represents the previous  
655 owner's estate, such affidavit, for purposes of paragraph (a),  
656 constitutes satisfactory proof of ownership and right of  
657 possession to the motor vehicle or mobile home, so long as the  
658 affidavit sets forth the rightful heir or heirs and the attorney  
659 attests in the affidavit that such heir or heirs are lawfully  
660 entitled to the rights of ownership and possession of the motor  
661 vehicle or mobile home. The application for certificate of title  
662 filed under this paragraph is not required to be accompanied by  
663 a copy of the will or other testamentary instrument.

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

666 319.29 Lost or destroyed certificates.—

667 (3) If, following the issuance of an original, duplicate,

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668 or corrected certificate of title by the department, the  
669 certificate is lost in transit and is not delivered to the  
670 addressee, the owner of the motor vehicle or mobile home, or the  
671 holder of a lien thereon, may, within 180 days after ~~of~~ the date  
672 of issuance of the title, apply to the department for reissuance  
673 of the certificate of title. An ~~No~~ additional fee may not ~~shall~~  
674 be charged by the department or a tax collector, as agent for  
675 the department, for reissuance under this subsection.

676 Section 10. Paragraphs (g) and (j) of subsection (1) and  
677 subsection (9) of section 319.30, Florida Statutes, are amended,  
678 and paragraph (y) is added to subsection (1) of that section, to  
679 read:

680 319.30 Definitions; dismantling, destruction, change of  
681 identity of motor vehicle or mobile home; salvage.—

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

683 (g) "Independent entity" means a business or entity that  
684 may temporarily store damaged or dismantled motor vehicles or  
685 vessels pursuant to an agreement with an insurance company and  
686 is engaged in the sale or resale of damaged or dismantled motor  
687 vehicles or vessels. The term does not include a wrecker  
688 operator, a towing company, or a repair facility.

689 (j) "Major component parts" means:

690 1. For motor vehicles other than motorcycles and electric,  
691 hybrid, or plug-in hybrid motor vehicles, any fender, hood,  
692 bumper, cowl assembly, rear quarter panel, trunk lid, door,  
693 decklid, floor pan, engine, frame, transmission, catalytic  
694 converter, or airbag.

695 2. For trucks, other than electric, hybrid, or plug-in  
696 hybrid motor vehicles, in addition to those parts listed in



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697 subparagraph 1., any truck bed, including dump, wrecker, crane,  
698 mixer, cargo box, or any bed which mounts to a truck frame.

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

702 4. For mobile homes, the frame.

703 5. For electric, hybrid, or plug-in hybrid motor vehicles,  
704 any fender, hood, bumper, cowl assembly, rear quarter panel,  
705 trunk lid, door, decklid, floor pan, engine, electric traction  
706 motor, frame, transmission or electronic transmission, charge  
707 port, DC power converter, onboard charger, power electronics  
708 controller, thermal system, traction battery pack, catalytic  
709 converter, or airbag.

710 (y) "Vessel" has the same meaning as provided in s.  
711 713.78(1)(b).

712 (9)(a) An insurance company may notify an independent  
713 entity that obtains possession of a damaged or dismantled motor  
714 vehicle or vessel to release the vehicle or vessel to the owner.  
715 The insurance company shall provide the independent entity a  
716 release statement on a form prescribed by the department  
717 authorizing the independent entity to release the vehicle or  
718 vessel to the owner or lienholder. The form must, at a minimum,  
719 contain the following:

720 1. The policy and claim number.

721 2. The name and address of the insured.

722 3. The vehicle identification number or vessel hull  
723 identification number.

724 4. The signature of an authorized representative of the  
725 insurance company.

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726 (b) The independent entity in possession of a motor vehicle  
727 or vessel must send a notice to the owner that the vehicle or  
728 vessel is available for pickup when it receives a release  
729 statement from the insurance company. The notice must ~~shall~~ be  
730 sent by certified mail or by another commercially available  
731 delivery service that provides proof of delivery to the owner at  
732 the owner's address contained in the department's records. The  
733 notice must state that the owner has 30 days after delivery of  
734 the notice to the owner at the owner's address to pick up the  
735 vehicle or vessel from the independent entity. If the motor  
736 vehicle or vessel is not claimed within 30 days after the  
737 delivery or attempted delivery of the notice, the independent  
738 entity may apply for a certificate of destruction, a salvage  
739 certificate of title, or a certificate of title. For a hull-  
740 damaged vessel, the independent entity shall comply with s.  
741 328.045, as applicable.

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

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

747 2. For a vehicle, identify the latest titling jurisdiction  
748 of the vehicle through use of the National Motor Vehicle Title  
749 Information System or an equivalent commercially available  
750 system and attempt to obtain the owner's address from that  
751 jurisdiction. If the jurisdiction returns an address that is  
752 different from the owner's address provided by the insurance  
753 company, the independent entity must send a notice that meets  
754 the requirements of paragraph (b) to both addresses.

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755 (d) The independent entity shall maintain for at least a  
756 ~~minimum of~~ 3 years the records related to the 30-day notice sent  
757 to the owner. For vehicles, the independent entity shall also  
758 maintain for at least 3 years the results of searches of the  
759 National Motor Vehicle Title Information System or an equivalent  
760 commercially available system, and the notification to the  
761 National Motor Vehicle Title Information System made pursuant to  
762 paragraph (e).

763 (e) The independent entity shall make the required  
764 notification to the National Motor Vehicle Title Information  
765 System before releasing any damaged or dismantled motor vehicle  
766 to the owner or before applying for a certificate of destruction  
767 or salvage certificate of title. The independent entity is not  
768 required to notify the National Motor Vehicle Title Information  
769 System before releasing any damaged or dismantled vessel to the  
770 owner or before applying for a certificate of title.

771 (f) Upon applying for a certificate of destruction, ~~or~~  
772 salvage certificate of title, or certificate of title, the  
773 independent entity shall provide a copy of the release statement  
774 from the insurance company to the independent entity, proof of  
775 providing the 30-day notice to the owner, proof of notification  
776 to the National Motor Vehicle Title Information System if  
777 required, proof of all lien satisfactions or proof of a release  
778 of all liens on the motor vehicle or vessel, and applicable  
779 fees. If the independent entity is unable to obtain a lien  
780 satisfaction or a release of all liens on the motor vehicle or  
781 vessel, the independent entity must provide an affidavit stating  
782 that notice was sent to all lienholders that the motor vehicle  
783 or vessel is available for pickup, 30 days have passed since the

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784 notice was delivered or attempted to be delivered pursuant to  
785 this section, attempts have been made to obtain a release from  
786 all lienholders, and all such attempts have been to no avail.  
787 The notice to lienholders and attempts to obtain a release from  
788 lienholders may be by written request delivered in person or by  
789 certified mail or another commercially available delivery  
790 service that provides proof of delivery to the lienholder at the  
791 lienholder's address as provided on the certificate of title and  
792 to the address designated with the Department of State pursuant  
793 to s. 655.0201(2) if such address is different.

794 (g) The independent entity may not charge an owner of the  
795 vehicle or vessel storage fees or apply for a title under s.  
796 713.585 or s. 713.78.

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

800 320.06 Registration certificates, license plates, and  
801 validation stickers generally.—

802 (1)

803 (b)1. Registration license plates bearing a graphic symbol  
804 and the alphanumeric system of identification shall be issued  
805 for a 10-year period. At the end of the 10-year period, upon  
806 renewal, the plate must ~~shall~~ be replaced. The department shall  
807 extend the scheduled license plate replacement date from a 6-  
808 year period to a 10-year period. The fee for such replacement is  
809 \$28, \$2.80 of which must ~~shall~~ be paid each year before the  
810 plate is replaced, to be credited toward the next \$28  
811 replacement fee. The fees must ~~shall~~ be deposited into the  
812 Highway Safety Operating Trust Fund. A credit or refund may not

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813 be given for any prior years' payments of the prorated  
814 replacement fee if the plate is replaced or surrendered before  
815 the end of the 10-year period, except that a credit may be given  
816 if a registrant is required by the department to replace a  
817 license plate under s. 320.08056(8) (a). With each license plate,  
818 a validation sticker must ~~shall~~ be issued showing the owner's  
819 birth month, license plate number, and the year of expiration or  
820 the appropriate renewal period if the owner is not a natural  
821 person. The validation sticker must ~~shall~~ be placed on the upper  
822 right corner of the license plate. The license plate and  
823 validation sticker must ~~shall~~ be issued based on the applicant's  
824 appropriate renewal period. The registration period is 12  
825 months, the extended registration period is 24 months, and all  
826 expirations occur based on the applicant's appropriate  
827 registration period. Rental vehicles taxed pursuant to s.  
828 320.08(6) (a) and rental trucks taxed pursuant to s.  
829 320.08(3) (a), (b), and (c) and (4) (a)-(d) may elect a permanent  
830 registration period, provided payment of the appropriate license  
831 taxes and fees occurs annually.

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

837 3. Beginning July 1, 2024, a vehicle registered in  
838 accordance with the International Registration Plan must be  
839 issued a license plate for a 3-year period. At the end of the 3-  
840 year period, upon renewal, the license plate must be replaced.  
841 Each license plate must include a validation sticker showing the

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842 month of expiration. A cab card denoting the declared gross  
843 vehicle weight for each apportioned jurisdiction must be issued  
844 annually. The fee for an original or a renewal cab card is \$28,  
845 which must be deposited into the Highway Safety Operating Trust  
846 Fund. If the license plate is damaged or worn, it may be  
847 replaced at no charge by applying to the department and  
848 surrendering the current license plate.

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

853 (3) (a) Registration license plates must be made of metal  
854 specially treated with a retroreflection material, as specified  
855 by the department. The registration license plate is designed to  
856 increase nighttime visibility and legibility and must be at  
857 least 6 inches wide and not less than 12 inches in length,  
858 unless a plate with reduced dimensions is deemed necessary by  
859 the department to accommodate motorcycles, mopeds, ~~or~~ similar  
860 smaller vehicles, or trailers. Validation stickers must also be  
861 treated with a retroreflection material, must be of such size as  
862 specified by the department, and must adhere to the license  
863 plate. The registration license plate must be imprinted with a  
864 combination of bold letters and numerals or numerals, not to  
865 exceed seven digits, to identify the registration license plate  
866 number. The license plate must be imprinted with the word  
867 "Florida" at the top and the name of the county in which it is  
868 sold, the state motto, or the words "Sunshine State" at the  
869 bottom. Apportioned license plates must have the word  
870 "Apportioned" at the bottom, and license plates issued for

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871 vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or  
872 (c), or (14) must have the word "Restricted" at the bottom.  
873 License plates issued for vehicles taxed under s. 320.08(12)  
874 must be imprinted with the word "Florida" at the top and the  
875 word "Dealer" at the bottom unless the license plate is a  
876 specialty license plate as authorized in s. 320.08056.  
877 Manufacturer license plates issued for vehicles taxed under s.  
878 320.08(12) must be imprinted with the word "Florida" at the top  
879 and the word "Manufacturer" at the bottom. License plates issued  
880 for vehicles taxed under s. 320.08(5)(d) or (e) must be  
881 imprinted with the word "Wrecker" at the bottom. Any county may,  
882 upon majority vote of the county commission, elect to have the  
883 county name removed from the license plates sold in that county.  
884 The state motto or the words "Sunshine State" must ~~shall~~ be  
885 printed in lieu thereof. A license plate issued for a vehicle  
886 taxed under s. 320.08(6) may not be assigned a registration  
887 license number, or be issued with any other distinctive  
888 character or designation, that distinguishes the motor vehicle  
889 as a for-hire motor vehicle.

890 Section 12. Effective January 1, 2024, section 320.0605,  
891 Florida Statutes, is amended to read:

892 320.0605 Certificate of registration and other documents;  
893 possession required; exception.—

894 (1)(a) The registration certificate in a uniform paper or  
895 electronic format, as prescribed by the department, or an  
896 official copy thereof; ~~;~~ a true copy or an electronic copy of  
897 rental or lease documentation issued for a motor vehicle or  
898 issued for a replacement vehicle in the same registration  
899 period; ~~;~~ a temporary receipt printed upon self-initiated

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900 electronic renewal of a registration via the Internet;<sup>7</sup> or a cab  
901 card issued for a vehicle registered under the International  
902 Registration Plan must ~~shall, at all times while the vehicle is~~  
903 ~~being used or operated on the roads of this state,~~ be in the  
904 possession of the operator ~~thereof~~ or be carried in the vehicle  
905 for which such documentation was issued at all times while the  
906 vehicle is being used or operated on the roads of this state and  
907 must ~~shall~~ be exhibited upon demand of any authorized law  
908 enforcement officer or any agent of the department, except for a  
909 vehicle registered under s. 320.0657. This paragraph ~~section~~  
910 does not apply during the first 30 days after purchase of a  
911 replacement vehicle. A violation of this paragraph ~~section~~ is a  
912 noncriminal traffic infraction, punishable as a nonmoving  
913 violation as provided in chapter 318.

914 (b)1. The act of presenting to a law enforcement officer or  
915 agent of the department an electronic device displaying an  
916 electronic registration certificate or a copy of rental or lease  
917 documentation does not constitute consent for the officer or  
918 agent to access any information on the device other than the  
919 displayed registration certificate or rental or lease  
920 documentation.

921 2. The person who presents the device to the officer or  
922 agent assumes the liability for any resulting damage to the  
923 device.

924 (2) Rental or lease documentation that is sufficient to  
925 satisfy the requirement in subsection (1) includes the  
926 following:

- 927 (a) Date and time of rental;  
928 (b) Rental agreement number;



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929 (c) Rental vehicle identification number;

930 (d) Rental vehicle license plate number and state of  
931 registration;

932 (e) Vehicle's make, model, and color;

933 (f) Vehicle's mileage; and

934 (g) Authorized renter's name.

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

938 320.08056 Specialty license plates.—

939 (8) (a) The department must discontinue the issuance of an  
940 approved specialty license plate if the number of valid  
941 specialty plate registrations falls below 3,000, ~~or in the case~~  
942 ~~of an out-of-state college or university license plate, 4,000,~~  
943 for at least 12 consecutive months. The department shall mail a  
944 warning letter to the sponsoring organization following the  
945 first month in which the total number of valid specialty plate  
946 registrations is below 3,000, ~~or in the case of an out-of-state~~  
947 ~~college or university license plate, 4,000.~~ This paragraph does  
948 not apply to in-state collegiate license plates established  
949 under s. 320.08058(3), license plates of institutions in and  
950 entities of the State University System, specialty license  
951 plates that have statutory eligibility limitations for purchase,  
952 specialty license plates for which annual use fees are  
953 distributed by a foundation for student and teacher leadership  
954 programs and teacher recruitment and retention, or Florida  
955 Professional Sports Team license plates established under s.  
956 320.08058(9).

957 (f) Notwithstanding paragraph (a), on January 1 of each

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958 year, the department shall discontinue the specialty license  
959 plate with the fewest number of plates in circulation, including  
960 license plates exempt from a statutory sales requirement. The  
961 department shall mail a warning letter to the sponsoring  
962 organizations of the 10 percent of specialty license plates with  
963 the lowest number of valid, active registrations as of December  
964 1 of each year. This paragraph does not apply to collegiate  
965 license plates.

966 Section 14. Subsections (3), (58), and (95), paragraph (c)  
967 of subsection (101), and subsection (107) of section 320.08058,  
968 Florida Statutes, are amended, and subsection (127) is added to  
969 that section, to read:

970 320.08058 Specialty license plates.—

971 (3) COLLEGIATE LICENSE PLATES.—

972 (a) The department shall develop a collegiate license plate  
973 as provided in this section for state and independent  
974 universities domiciled in this state. However, any collegiate  
975 license plate created or established after October 1, 2002, must  
976 comply with the requirements of s. 320.08053, except the presale  
977 requirements in s. 320.08053(2)(b), and be specifically  
978 authorized by an act of the Legislature. Collegiate license  
979 plates must bear the colors and design approved by the  
980 department as appropriate for each state and independent  
981 university. The word "Florida" must be stamped across the bottom  
982 of the plate in small letters.

983 (b) A collegiate plate annual use fee is to be distributed  
984 to the state or independent university foundation designated by  
985 the purchaser for deposit in an unrestricted account. The Board  
986 of Governors of the State University System shall require each

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987 state university to submit a plan for approval of the  
988 expenditure of all funds so designated. These funds may be used  
989 only for academic enhancement, including scholarships and  
990 private fundraising activities.

991 (c) The department may reauthorize a collegiate license  
992 plate that has previously been discontinued pursuant to s.  
993 320.08056(8)(f) if the university resubmits the collegiate  
994 license plate for authorization.

995 (58) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

996 (a) The department shall develop a Protect Florida Springs  
997 license plate as provided in this section. The word "Florida"  
998 must appear at the top of the plate, and the words "Protect  
999 Florida Springs" must appear at the bottom of the plate.

1000 (b) The annual use fees shall be distributed to the Fish &  
1001 Wildlife Foundation of Florida, Inc., a citizen support  
1002 organization created pursuant to s. 379.223, which shall  
1003 administer the fees as follows:

1004 ~~1. Wildlife Foundation of Florida, Inc., shall retain the~~  
1005 ~~first \$60,000 of the annual use fees as direct reimbursement for~~  
1006 ~~administrative costs, startup costs, and costs incurred in the~~  
1007 ~~development and approval process.~~

1008 ~~2. Thereafter,~~ A maximum of 10 percent of the fees may be  
1009 used for administrative costs directly associated with education  
1010 programs, conservation, springs research, and grant  
1011 administration of the foundation. A maximum of 15 percent of the  
1012 fees may be used for continuing promotion and marketing of the  
1013 license plate.

1014 ~~2.3.~~ At least 75 ~~55~~ percent of the fees shall be available  
1015 for the conservation of Florida's freshwater springs, including

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1016 scientific research, springs habitat restoration, springs  
1017 protection, and public education on springs ~~competitive grants~~  
1018 ~~for targeted community-based springs research not currently~~  
1019 ~~available for state funding. The remaining 20 percent shall be~~  
1020 ~~directed toward community outreach programs aimed at~~  
1021 ~~implementing such research findings.~~ The majority of funds shall  
1022 be awarded via competitive grants ~~shall be~~ administered and  
1023 approved by the board of directors of the Fish & Wildlife  
1024 Foundation of Florida, Inc., with input from a. ~~The granting~~  
1025 ~~advisory committee shall be~~ composed of nine members, including  
1026 one representative from the Fish and Wildlife Conservation  
1027 Commission, one representative from the Department of  
1028 Environmental Protection, one representative from the Department  
1029 of Health, one representative from the Department of Economic  
1030 Opportunity, three citizen representatives, and two  
1031 representatives from nonprofit stakeholder groups.

1032 ~~4. The remaining funds shall be distributed with the~~  
1033 ~~approval of and accountability to the board of directors of the~~  
1034 ~~Wildlife Foundation of Florida, and shall be used to support~~  
1035 ~~activities contributing to education, outreach, and springs~~  
1036 ~~conservation.~~

1037 (95) AMERICAN EAGLE LICENSE PLATES.—

1038 (a) The department shall develop an American Eagle license  
1039 plate as provided in this section and s. 320.08053. The plate  
1040 must bear the colors and design approved by the department. The  
1041 word "Florida" must appear at the top of the plate, and the  
1042 words "Protect the Eagle" ~~"In God We Trust"~~ must appear at the  
1043 bottom of the plate.

1044 (b) The annual use fees from the sale of the plate shall be

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1045 distributed to the American Eagle Foundation for deposit in the  
1046 foundation's national endowment fund. Up to 10 percent of the  
1047 funds received may be used for administrative costs and  
1048 marketing of the plate. The American Eagle Foundation shall use  
1049 the remainder of the proceeds to fund public education programs,  
1050 rescue and care programs, and other conservation efforts in  
1051 Florida that benefit bald eagles.

1052 (101) DIVINE NINE LICENSE PLATES.—

1053 (c)1. As used in this paragraph, the term "immediate  
1054 relative" means a spouse, domestic partner, or child.

1055 2. To be eligible for issuance of a Divine Nine license  
1056 plate representing an organization listed in sub-subparagraphs  
1057 (b)3.a.-i., a person must be a resident of this state who is the  
1058 registered owner or lessee of a motor vehicle and who either is  
1059 a member or an immediate relative of a member of the applicable  
1060 organization. The person must ~~also~~ present the following:

1061 a. Proof of membership in the organization, which may be  
1062 established by:

1063 (I)~~a.~~ A card distributed by the organization indicating the  
1064 person's membership in the organization; or

1065 (II)~~b.~~ A written letter on the organization's letterhead  
1066 which is signed by the organization's national president or his  
1067 or her designated official and which states that the person was  
1068 inducted into the organization.

1069 b. If the person is a lessee of a motor vehicle, a lease  
1070 agreement and the vehicle identification number for the motor  
1071 vehicle that is being leased.

1072 c. If the person is an immediate relative of a member of  
1073 the organization, a marriage license, domestic partnership

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1074 agreement, birth certificate, or record of adoption, and proof  
 1075 of membership as described in sub-subparagraph a. of the  
 1076 person's immediate relative.

1077 3.2. Proof of membership in an organization listed in sub-  
 1078 subparagraphs (b)3.a.-i. is required only for initial issuance  
 1079 of a Divine Nine license plate. A person need not present such  
 1080 proof for renewal of the license plate.

1081  
 1082 License plates created pursuant to this subsection shall have  
 1083 their plate sales combined for the purpose of meeting the  
 1084 minimum license plate sales threshold in s. 320.08056(8)(a) and  
 1085 for determining the license plate limit in s. 320.08053(3)(b).  
 1086 License plates created pursuant to this subsection must be  
 1087 ordered directly from the department.

1088 (107) UNIVERSAL ORLANDO RESORT ~~GIVE KIDS THE WORLD~~ LICENSE  
 1089 PLATES.-

1090 (a) The department shall develop a Universal Orlando Resort  
 1091 ~~Give Kids The World~~ license plate as provided in this section  
 1092 and s. 320.08053. The plate must bear the colors and design  
 1093 approved by the department. The word "Florida" must appear at  
 1094 the top of the plate, and the words "Universal Orlando Resort"  
 1095 "~~Give Kids The World~~" must appear at the bottom of the plate.

1096 (b) The annual use fees from the sale of the plate must  
 1097 ~~shall~~ be distributed to Give Kids The World, Inc., a nonprofit  
 1098 organization under s. 501(c)(3) of the Internal Revenue Code. Up  
 1099 to 10 percent of the proceeds may be used for the promotion and  
 1100 marketing of the plate. The remainder of the proceeds must ~~shall~~  
 1101 be used by Give Kids The World, Inc., to support the  
 1102 organization's mission ~~their~~ mission of providing week-long,

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1103 cost-free vacations to children with critical illnesses and  
1104 their families.

1105 (127) FLORIDA ASSOCIATION OF REALTORS LICENSE PLATES.-

1106 (a) The department shall develop a Florida Association of  
1107 Realtors license plate as provided in this section and s.  
1108 320.08053. The plate must bear the colors and design approved by  
1109 the department. The word "Florida" must appear at the top of the  
1110 plate, and the words "Support Homeownership" must appear at the  
1111 bottom of the plate.

1112 (b) The annual use fees from the sale of the plate shall be  
1113 distributed to Homeownership For All, Inc., which may use up to  
1114 10 percent of the proceeds to promote and market the plate. The  
1115 remainder of the proceeds shall be used by Homeownership For  
1116 All, Inc., to fund programs that provide, promote, or otherwise  
1117 support affordable housing in this state.

1118 Section 15. Subsection (1) of section 320.084, Florida  
1119 Statutes, is amended, and subsection (6) is added to that  
1120 section, to read:

1121 320.084 Free motor vehicle license plate to certain  
1122 disabled veterans.-

1123 (1) One free "DV" motor vehicle license number plate must  
1124 ~~shall~~ be issued by the department for use on any motor vehicle  
1125 owned or leased by any disabled veteran who has been a resident  
1126 of this state continuously for the preceding 5 years or has  
1127 established a domicile in this state as provided by s.  
1128 222.17(1), (2), or (3), and who has been honorably discharged  
1129 from the United States Armed Forces, upon application,  
1130 accompanied by proof that:

1131 (a) A vehicle was initially acquired through financial

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1132 assistance by the United States Department of Veterans Affairs  
1133 or its predecessor specifically for the purchase of an  
1134 automobile;

1135 (b) The applicant has been determined by the United States  
1136 Department of Veterans Affairs or its predecessor to have a  
1137 service-connected 100-percent disability rating for  
1138 compensation; or

1139 (c) The applicant has been determined to have a service-  
1140 connected disability rating of 100 percent and is in receipt of  
1141 disability retirement pay from any branch of the United States  
1142 Armed Services.

1143 (6) (a) A disabled veteran who qualifies for issuance of a  
1144 "DV" license plate under subsection (1) may be issued, in lieu  
1145 of the "DV" license plate, a military license plate for which he  
1146 or she is eligible, or a specialty license plate. A disabled  
1147 veteran electing a military license plate or specialty license  
1148 plate under this subsection must pay all applicable fees related  
1149 to such license plate, except for fees otherwise waived under  
1150 subsections (1) and (4).

1151 (b) A military license plate or specialty license plate  
1152 elected under this subsection:

1153 1. Does not provide the protections or rights afforded by  
1154 s. 316.1955, s. 316.1964, s. 320.0848, s. 526.141, or s.  
1155 553.5041.

1156 2. Is not eligible for the international symbol of  
1157 accessibility as described in s. 320.0842.

1158 Section 16. Present subsections (16) through (48) of  
1159 section 322.01, Florida Statutes, are redesignated as  
1160 subsections (17) through (49), respectively, a new subsection



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1161 (16) is added to that section, and subsection (5) and present  
1162 subsections (37) and (41) of that section are amended, to read:

1163 322.01 Definitions.—As used in this chapter:

1164 (5) "Cancellation" means the act of declaring a driver  
1165 license void and terminated, but does not include a downgrade.

1166 (16) "Downgrade" has the same meaning as the term "CDL  
1167 downgrade" as defined in 49 C.F.R. s. 383.5(4).

1168 (38)~~(37)~~ "Revocation" means the termination of a licensee's  
1169 privilege to drive, but does not include a downgrade.

1170 (42)~~(41)~~ "Suspension" means the temporary withdrawal of a  
1171 licensee's privilege to drive a motor vehicle, but does not  
1172 include a downgrade.

1173 Section 17. Subsection (2) of section 322.02, Florida  
1174 Statutes, is amended to read:

1175 322.02 Legislative intent; administration.—

1176 (2) The Department of Highway Safety and Motor Vehicles is  
1177 charged with the administration and function of enforcement of  
1178 the provisions of this chapter and the enforcement and  
1179 administration of 49 C.F.R. parts 382-386 and 390-397.

1180 Section 18. Present subsections (4) through (12) of section  
1181 322.05, Florida Statutes, are redesignated as subsections (5)  
1182 through (13), respectively, and a new subsection (4) is added to  
1183 that section, to read:

1184 322.05 Persons not to be licensed.—The department may not  
1185 issue a license:

1186 (4) To any person as a commercial motor vehicle operator  
1187 who is ineligible to operate a commercial motor vehicle pursuant  
1188 to 49 C.F.R. part 383.

1189 Section 19. Subsection (3) of section 322.07, Florida

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1190 Statutes, is amended to read:

1191 322.07 Instruction permits and temporary licenses.—

1192 (3) Any person who, except for his or her lack of  
1193 instruction in operating a commercial motor vehicle, would  
1194 otherwise be qualified to obtain a commercial driver license  
1195 under this chapter, may apply for a temporary commercial  
1196 instruction permit. The department shall issue such a permit  
1197 entitling the applicant, while having the permit in his or her  
1198 immediate possession, to drive a commercial motor vehicle on the  
1199 highways, if:

1200 (a) The applicant possesses a valid Florida driver license;

1201 ~~and~~

1202 (b) The applicant, while operating a commercial motor  
1203 vehicle, is accompanied by a licensed driver who is 21 years of  
1204 age or older, who is licensed to operate the class of vehicle  
1205 being operated, and who is occupying the closest seat to the  
1206 right of the driver; and

1207 (c) The department has not been notified that, under 49  
1208 C.F.R. s. 382.501(a), the applicant is prohibited from operating  
1209 a commercial motor vehicle.

1210 Section 20. Effective January 1, 2024, subsection (3) of  
1211 section 322.141, Florida Statutes, is amended to read:

1212 322.141 Color or markings of certain licenses or  
1213 identification cards.—

1214 (3) All licenses for the operation of motor vehicles or  
1215 identification cards originally issued or reissued by the  
1216 department to persons who are designated as sexual predators  
1217 under s. 775.21 or subject to registration as sexual offenders  
1218 under s. 943.0435 or s. 944.607, or who have a similar

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1219 designation or are subject to a similar registration under the  
1220 laws of another jurisdiction, must ~~shall~~ have on the front of  
1221 the license or identification card, in a distinctive format and  
1222 printed in the color red, all of the following information:

1223 (a) For a person designated as a sexual predator under s.  
1224 775.21 or who has a similar designation under the laws of  
1225 another jurisdiction, the marking "SEXUAL PREDATOR."

1226 (b) For a person subject to registration as a sexual  
1227 offender under s. 943.0435 or s. 944.607, or subject to a  
1228 similar registration under the laws of another jurisdiction, the  
1229 marking "943.0435, F.S."

1230 Section 21. Subsection (4) of section 322.142, Florida  
1231 Statutes, is amended to read:

1232 322.142 Color photographic or digital imaged licenses.—

1233 (4) The department may maintain a film negative or print  
1234 file. The department shall maintain a record of the digital  
1235 image and signature of the licensees, together with other data  
1236 required by the department for identification and retrieval.  
1237 Reproductions from the file or digital record are exempt from  
1238 ~~the provisions of~~ s. 119.07(1) and may be made and issued only  
1239 in the following circumstances:

1240 (a) For departmental administrative purposes. †

1241 (b) For the issuance of duplicate licenses. †

1242 (c) In response to law enforcement agency requests. †

1243 (d) To the Department of Business and Professional  
1244 Regulation and the Department of Health pursuant to an  
1245 interagency agreement for the purpose of accessing digital  
1246 images for reproduction of licenses issued by the Department of  
1247 Business and Professional Regulation or the Department of

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1248 Health.~~†~~

1249 (e) To the Department of State pursuant to an interagency  
1250 agreement to facilitate determinations of eligibility of voter  
1251 registration applicants and registered voters in accordance with  
1252 ss. 98.045 and 98.075.~~†~~

1253 (f) To the Department of Revenue pursuant to an interagency  
1254 agreement for use in establishing paternity and establishing,  
1255 modifying, or enforcing support obligations in Title IV-D  
1256 cases.~~†~~

1257 (g) To the Department of Children and Families pursuant to  
1258 an interagency agreement to conduct protective investigations  
1259 under part III of chapter 39 and chapter 415.~~†~~

1260 (h) To the Department of Children and Families pursuant to  
1261 an interagency agreement specifying the number of employees in  
1262 each of that department's regions to be granted access to the  
1263 records for use as verification of identity to expedite the  
1264 determination of eligibility for public assistance and for use  
1265 in public assistance fraud investigations.~~†~~

1266 (i) To the Agency for Health Care Administration pursuant  
1267 to an interagency agreement for the purpose of authorized  
1268 agencies verifying photographs in the Care Provider Background  
1269 Screening Clearinghouse authorized under s. 435.12.~~†~~

1270 (j) To the Department of Financial Services pursuant to an  
1271 interagency agreement to facilitate the location of owners of  
1272 unclaimed property, the validation of unclaimed property claims,  
1273 the identification of fraudulent or false claims, and the  
1274 investigation of allegations of violations of the insurance code  
1275 by licensees and unlicensed persons.~~†~~

1276 (k) To the Department of Economic Opportunity pursuant to

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1277 an interagency agreement to facilitate the validation of  
 1278 reemployment assistance claims and the identification of  
 1279 fraudulent or false reemployment assistance claims.†

1280 (l) To district medical examiners pursuant to an  
 1281 interagency agreement for the purpose of identifying a deceased  
 1282 individual, determining cause of death, and notifying next of  
 1283 kin of any investigations, including autopsies and other  
 1284 laboratory examinations, authorized in s. 406.11.†

1285 (m) To the following persons for the purpose of identifying  
 1286 a person as part of the official work of a court:

1287 1. A justice or judge of this state;

1288 2. An employee of the state courts system who works in a  
 1289 position that is designated in writing for access by the Chief  
 1290 Justice of the Supreme Court or a chief judge of a district or  
 1291 circuit court, or by his or her designee; or

1292 3. A government employee who performs functions on behalf  
 1293 of the state courts system in a position that is designated in  
 1294 writing for access by the Chief Justice or a chief judge, or by  
 1295 his or her designee.†~~or~~

1296 (n) To the Agency for Health Care Administration pursuant  
 1297 to an interagency agreement to prevent health care fraud. If the  
 1298 Agency for Health Care Administration enters into an agreement  
 1299 with a private entity to carry out duties relating to health  
 1300 care fraud prevention, such contracts must ~~shall~~ include, but  
 1301 need not be limited to:

1302 1. Provisions requiring internal controls and audit  
 1303 processes to identify access, use, and unauthorized access of  
 1304 information.

1305 2. A requirement to report unauthorized access or use to

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1306 the Agency for Health Care Administration within 1 business day  
1307 after the discovery of the unauthorized access or use.

1308 3. Provisions for liquidated damages for unauthorized  
1309 access or use of no less than \$5,000 per occurrence.

1310 (o) To any criminal justice agency, as defined in s.  
1311 943.045, pursuant to an interagency agreement for use in  
1312 carrying out the criminal justice agency's functions.

1313 (p) To the driver licensing agency of any other state for  
1314 purposes of validating the identity of an applicant for a driver  
1315 license or identification card.

1316 Section 22. Subsection (8) and paragraph (a) of subsection  
1317 (9) of section 322.21, Florida Statutes, are amended to read:

1318 322.21 License fees; procedure for handling and collecting  
1319 fees.—

1320 (8) A person who applies for reinstatement following the  
1321 suspension or revocation of the person's driver license must pay  
1322 a service fee of \$45 following a suspension, and \$75 following a  
1323 revocation, which is in addition to the fee for a license. A  
1324 person who applies for reinstatement of a commercial driver  
1325 license following the disqualification or downgrade of the  
1326 person's privilege to operate a commercial motor vehicle must  
1327 ~~shall~~ pay a service fee of \$75, which is in addition to the fee  
1328 for a license. The department shall collect all of these fees at  
1329 the time of reinstatement. The department shall issue proper  
1330 receipts for such fees and shall promptly transmit all funds  
1331 received by it as follows:

1332 (a) Of the \$45 fee received from a licensee for  
1333 reinstatement following a suspension:

1334 1. If the reinstatement is processed by the department, the

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1335 department must ~~shall~~ deposit \$15 in the General Revenue Fund  
1336 and \$30 in the Highway Safety Operating Trust Fund.

1337 2. If the reinstatement is processed by the tax collector,  
1338 \$15, less the general revenue service charge set forth in s.  
1339 215.20(1), must ~~shall~~ be retained by the tax collector, \$15 must  
1340 ~~shall~~ be deposited into the Highway Safety Operating Trust Fund,  
1341 and \$15 must ~~shall~~ be deposited into the General Revenue Fund.

1342 (b) Of the \$75 fee received from a licensee for  
1343 reinstatement following a revocation, or ~~or~~ disqualification, or  
1344 downgrade:

1345 1. If the reinstatement is processed by the department, the  
1346 department must ~~shall~~ deposit \$35 in the General Revenue Fund  
1347 and \$40 in the Highway Safety Operating Trust Fund.

1348 2. If the reinstatement is processed by the tax collector,  
1349 \$20, less the general revenue service charge set forth in s.  
1350 215.20(1), must ~~shall~~ be retained by the tax collector, \$20 must  
1351 ~~shall~~ be deposited into the Highway Safety Operating Trust Fund,  
1352 and \$35 must ~~shall~~ be deposited into the General Revenue Fund.

1353  
1354 If the revocation or suspension of the driver license was for a  
1355 violation of s. 316.193, or for refusal to submit to a lawful  
1356 breath, blood, or urine test, an additional fee of \$130 must be  
1357 charged. However, only one \$130 fee may be collected from one  
1358 person convicted of violations arising out of the same incident.  
1359 The department shall collect the \$130 fee and deposit the fee  
1360 into the Highway Safety Operating Trust Fund at the time of  
1361 reinstatement of the person's driver license, but the fee may  
1362 not be collected if the suspension or revocation is overturned.  
1363 If the revocation or suspension of the driver license was for a

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1364 conviction for a violation of s. 817.234(8) or (9) or s.  
1365 817.505, an additional fee of \$180 is imposed for each offense.  
1366 The department shall collect and deposit the additional fee into  
1367 the Highway Safety Operating Trust Fund at the time of  
1368 reinstatement of the person's driver license.

1369 (9) An applicant:

1370 (a) Requesting a review authorized in s. 322.222, s.  
1371 322.2615, s. 322.2616, s. 322.27, s. 322.591, or s. 322.64 must  
1372 pay a filing fee of \$25 to be deposited into the Highway Safety  
1373 Operating Trust Fund.

1374 Section 23. Section 322.591, Florida Statutes, is created  
1375 to read:

1376 322.591 Commercial driver license and commercial  
1377 instruction permit; Commercial Driver's License Drug and Alcohol  
1378 Clearinghouse; prohibition on issuance of commercial driver  
1379 licenses; downgrades.-

1380 (1) Beginning November 18, 2024, when a person applies for  
1381 or seeks to renew, transfer, or make any other change to a  
1382 commercial driver license or commercial instruction permit, the  
1383 department must obtain the driver's record from the Commercial  
1384 Driver's License Drug and Alcohol Clearinghouse established  
1385 pursuant to 49 C.F.R. part 382. The department may not issue,  
1386 renew, transfer, or revise the types of authorized vehicles that  
1387 may be operated or the endorsements applicable to a commercial  
1388 driver license or commercial instruction permit for any person  
1389 for whom the department receives notification pursuant to 49  
1390 C.F.R. s. 382.501(a) that the person is prohibited from  
1391 operating a commercial vehicle.

1392 (2) Beginning November 18, 2024, the department shall



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1393 downgrade the commercial driver license or commercial  
1394 instruction permit of any driver if the department receives  
1395 notification that, pursuant to 49 C.F.R. s. 382.501(a), the  
1396 driver is prohibited from operating a commercial motor vehicle.  
1397 Any such downgrade must be completed and recorded by the  
1398 department in the Commercial Driver's License Information System  
1399 within 60 days after the department's receipt of such  
1400 notification.

1401 (3) (a) Beginning November 18, 2024, upon receipt of  
1402 notification pursuant to 49 C.F.R. s. 382.501(a) that a driver  
1403 is prohibited from operating a commercial motor vehicle, the  
1404 department shall immediately notify the driver who is the  
1405 subject of such notification that he or she is prohibited from  
1406 operating a commercial motor vehicle and, upon his or her  
1407 request, must afford him or her an opportunity for an informal  
1408 hearing pursuant to this section. The department's notice must  
1409 be provided to the driver in the same manner as, and providing  
1410 such notice has the same effect as, notices provided pursuant to  
1411 s. 322.251(1) and (2).

1412 (b) Such informal hearing must be requested not later than  
1413 20 days after the driver receives the notice of the downgrade.  
1414 If a request for a hearing, together with the filing fee  
1415 required pursuant to s. 322.21, is not received within 20 days  
1416 after receipt of such notice, the department must enter a final  
1417 order directing the downgrade of the driver's commercial driver  
1418 license or commercial instruction permit, unless the department  
1419 receives notification pursuant to 49 C.F.R. s. 382.503(a) that  
1420 the driver is no longer prohibited from operating a commercial  
1421 motor vehicle.

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1422 (c) A hearing requested pursuant to paragraph (b) must be  
1423 scheduled and held not later than 30 days after receipt by the  
1424 department of a request for the hearing, together with the  
1425 filing fee required pursuant to s. 322.21. The submission of a  
1426 request for hearing pursuant to paragraph (b) tolls the deadline  
1427 to file a petition for writ of certiorari pursuant to s. 322.31  
1428 until after the department enters a final order after a hearing  
1429 pursuant to paragraph (b).

1430 (d) The informal hearing authorized pursuant to this  
1431 subsection is exempt from chapter 120. Such hearing must be  
1432 conducted before a hearing officer designated by the department.  
1433 The hearing officer may conduct such hearing from any location  
1434 in this state by means of communications technology.

1435 (e) The notification received by the department pursuant to  
1436 49 C.F.R. s. 382.501(a) must be in the record for consideration  
1437 by the hearing officer and in any proceeding pursuant to s.  
1438 322.31 and is considered self-authenticating. The basis for the  
1439 notification received by the department pursuant to 49 C.F.R. s.  
1440 382.501(a) and the information in the Commercial Driver's  
1441 License Drug and Alcohol Clearinghouse which resulted in such  
1442 notification are not subject to challenge in the hearing or in  
1443 any proceeding brought under s. 322.31.

1444 (f) If, before the entry of a final order arising from a  
1445 notification received by the department pursuant to 49 C.F.R. s.  
1446 382.501(a), the department receives notification pursuant to 49  
1447 C.F.R. s. 382.503(a) that the driver is no longer prohibited  
1448 from operating a commercial motor vehicle, the department must  
1449 dismiss the action to downgrade the driver's commercial driver  
1450 license or commercial instruction permit.

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1451 (g) Upon the entry of a final order that results in the  
1452 downgrade of a driver's commercial driver license or commercial  
1453 instruction permit, the department shall record immediately in  
1454 the driver's record that the driver is disqualified from  
1455 operating or driving a commercial motor vehicle. The downgrade  
1456 of a commercial driver license or commercial instruction permit  
1457 pursuant to a final order entered pursuant to this section, and,  
1458 upon the entry of a final order, the recording in the driver's  
1459 record that the driver subject to such a final order is  
1460 disqualified from operating or driving a commercial motor  
1461 vehicle, are not stayed during the pendency of any proceeding  
1462 pursuant to s. 322.31.

1463 (h) If, after the entry of a final order that results in  
1464 the downgrade of a driver's commercial driver license or  
1465 commercial instruction permit and the department recording in  
1466 the driver's record that the driver is disqualified from  
1467 operating or driving a commercial motor vehicle, the department  
1468 receives notification pursuant to 49 C.F.R. s. 382.503(a) that  
1469 the driver is no longer prohibited from operating a commercial  
1470 motor vehicle, the department must reinstate the driver's  
1471 commercial driver license or commercial instruction permit upon  
1472 application by such driver.

1473 (i) The department is not liable for any commercial driver  
1474 license or commercial instruction permit downgrade resulting  
1475 from the discharge of its duties.

1476 (j) This section is the exclusive procedure for the  
1477 downgrade of a commercial driver license or commercial  
1478 instruction permit following notification received by the  
1479 department that, pursuant to 49 C.F.R. s. 382.501(a), a driver

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1480 is prohibited from operating a commercial motor vehicle.

1481 (k) The downgrade of a commercial driver license or  
1482 commercial instruction permit of a person pursuant to this  
1483 section does not preclude the suspension of the driving  
1484 privilege for that person pursuant to s. 322.2615 or the  
1485 disqualification of that person from operating a commercial  
1486 motor vehicle pursuant to s. 322.64. The driving privilege of a  
1487 person whose commercial driver license or commercial instruction  
1488 permit has been downgraded pursuant to this section also may be  
1489 suspended for a violation of s. 316.193.

1490 (4) Beginning November 18, 2024, a driver for whom the  
1491 department receives notification that, pursuant to 49 C.F.R. s.  
1492 382.501(a), such person is prohibited from operating a  
1493 commercial motor vehicle may, if otherwise qualified, be issued  
1494 a Class E driver license pursuant to s. 322.251(4), valid for  
1495 the length of his or her unexpired license period, at no cost.

1496 Section 24. Subsection (2) of section 322.34, Florida  
1497 Statutes, is amended to read:

1498 322.34 Driving while license suspended, revoked, canceled,  
1499 or disqualified.—

1500 (2) Any person whose driver license or driving privilege  
1501 has been canceled, suspended, or revoked as provided by law, or  
1502 who does not have a driver license or driving privilege but is  
1503 under suspension or revocation equivalent status as defined in  
1504 s. 322.01 ~~s. 322.01(42)~~, except persons defined in s. 322.264,  
1505 who, knowing of such cancellation, suspension, revocation, or  
1506 suspension or revocation equivalent status, drives any motor  
1507 vehicle upon the highways of this state while such license or  
1508 privilege is canceled, suspended, or revoked, or while under

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1509 suspension or revocation equivalent status, commits:

1510 (a) A misdemeanor of the second degree, punishable as  
1511 provided in s. 775.082 or s. 775.083.

1512 (b)1. A misdemeanor of the first degree, punishable as  
1513 provided in s. 775.082 or s. 775.083, upon a second or  
1514 subsequent conviction, except as provided in paragraph (c).

1515 2. A person convicted of a third or subsequent conviction,  
1516 except as provided in paragraph (c), must serve a minimum of 10  
1517 days in jail.

1518 (c) A felony of the third degree, punishable as provided in  
1519 s. 775.082, s. 775.083, or s. 775.084, upon a third or  
1520 subsequent conviction if the current violation of this section  
1521 or the most recent prior violation of the section is related to  
1522 driving while license canceled, suspended, revoked, or  
1523 suspension or revocation equivalent status resulting from a  
1524 violation of:

1525 1. Driving under the influence;

1526 2. Refusal to submit to a urine, breath-alcohol, or blood  
1527 alcohol test;

1528 3. A traffic offense causing death or serious bodily  
1529 injury; or

1530 4. Fleeing or eluding.

1531  
1532 The element of knowledge is satisfied if the person has been  
1533 previously cited as provided in subsection (1); or the person  
1534 admits to knowledge of the cancellation, suspension, or  
1535 revocation, or suspension or revocation equivalent status; or  
1536 the person received notice as provided in subsection (4). There  
1537 is ~~shall be~~ a rebuttable presumption that the knowledge

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1538 requirement is satisfied if a judgment or order as provided in  
1539 subsection (4) appears in the department's records for any case  
1540 except for one involving a suspension by the department for  
1541 failure to pay a traffic fine or for a financial responsibility  
1542 violation.

1543 Section 25. Subsection (4) of section 322.61, Florida  
1544 Statutes, is amended to read:

1545 322.61 Disqualification from operating a commercial motor  
1546 vehicle.—

1547 (4) Any person who is transporting hazardous materials as  
1548 defined in s. 322.01 ~~s. 322.01(24)~~ shall, upon conviction of an  
1549 offense specified in subsection (3), is ~~be~~ disqualified from  
1550 operating a commercial motor vehicle for a period of 3 years.  
1551 The penalty provided in this subsection is ~~shall be~~ in addition  
1552 to any other applicable penalty.

1553 Section 26. Subsection (3) of section 324.0221, Florida  
1554 Statutes, is amended to read:

1555 324.0221 Reports by insurers to the department; suspension  
1556 of driver license and vehicle registrations; reinstatement.—

1557 (3) An operator or owner whose driver license or  
1558 registration has been suspended under this section or s. 316.646  
1559 may effect its reinstatement upon compliance with the  
1560 requirements of this section and upon payment to the department  
1561 of a nonrefundable reinstatement fee of \$150 for the first  
1562 reinstatement. The reinstatement fee is \$250 for the second  
1563 reinstatement and \$500 for each subsequent reinstatement during  
1564 the 3 years following the first reinstatement. A person  
1565 reinstating her or his insurance under this subsection must also  
1566 secure ~~noncancelable~~ coverage as described in ss. 324.021(8),

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1567 324.023, and 627.7275(2) and present to the appropriate person  
1568 proof that the coverage is in force on a form adopted by the  
1569 department, and such proof must ~~shall~~ be maintained for 2 years.  
1570 If the person does not have a second reinstatement within 3  
1571 years after her or his initial reinstatement, the reinstatement  
1572 fee is \$150 for the first reinstatement after that 3-year  
1573 period. If a person's license and registration are suspended  
1574 under this section or s. 316.646, only one reinstatement fee  
1575 must be paid to reinstate the license and the registration. All  
1576 fees must ~~shall~~ be collected by the department at the time of  
1577 reinstatement. The department shall issue proper receipts for  
1578 such fees and shall promptly deposit those fees in the Highway  
1579 Safety Operating Trust Fund. One-third of the fees collected  
1580 under this subsection must ~~shall~~ be distributed from the Highway  
1581 Safety Operating Trust Fund to the local governmental entity or  
1582 state agency that employed the law enforcement officer seizing  
1583 the license plate pursuant to s. 324.201. The funds may be used  
1584 by the local governmental entity or state agency for any  
1585 authorized purpose.

1586 Section 27. Section 324.131, Florida Statutes, is amended  
1587 to read:

1588 324.131 Period of suspension.—Such license, registration  
1589 and nonresident's operating privilege must ~~shall~~ remain ~~so~~  
1590 suspended and may ~~shall~~ not be renewed, nor may ~~shall~~ any such  
1591 license or registration be thereafter issued in the name of such  
1592 person, including any such person not previously licensed,  
1593 unless and until every such judgment is stayed, satisfied in  
1594 full or to the extent of the limits stated in s. 324.021(7) and  
1595 until the said person gives proof of financial responsibility as

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1596 provided in s. 324.031, such proof to be maintained for 3 years.  
1597 In addition, if the person's license or registration has been  
1598 suspended or revoked due to a violation of s. 316.193 or  
1599 pursuant to s. 322.26(2), that person must ~~shall~~ maintain  
1600 ~~noncancelable~~ liability coverage for each motor vehicle  
1601 registered in his or her name, as described in s. 627.7275(2),  
1602 and must present proof that coverage is in force on a form  
1603 adopted by the Department of Highway Safety and Motor Vehicles,  
1604 such proof to be maintained for 3 years.

1605 Section 28. Paragraph (g) of subsection (3) of section  
1606 627.311, Florida Statutes, is amended to read:

1607 627.311 Joint underwriters and joint reinsurers; public  
1608 records and public meetings exemptions.—

1609 (3) The office may, after consultation with insurers  
1610 licensed to write automobile insurance in this state, approve a  
1611 joint underwriting plan for purposes of equitable apportionment  
1612 or sharing among insurers of automobile liability insurance and  
1613 other motor vehicle insurance, as an alternate to the plan  
1614 required in s. 627.351(1). All insurers authorized to write  
1615 automobile insurance in this state shall subscribe to the plan  
1616 and participate therein. The plan is ~~shall be~~ subject to  
1617 continuous review by the office which may at any time disapprove  
1618 the entire plan or any part thereof if it determines that  
1619 conditions have changed since prior approval and that in view of  
1620 the purposes of the plan changes are warranted. Any disapproval  
1621 by the office is ~~shall be~~ subject to ~~the provisions of~~ chapter  
1622 120. The Florida Automobile Joint Underwriting Association is  
1623 created under the plan. The plan and the association:

1624 (g) Must make available ~~noncancelable~~ coverage as provided



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1625 in s. 627.7275(2).

1626 Section 29. Subsection (1) of section 627.351, Florida  
1627 Statutes, is amended to read:

1628 627.351 Insurance risk apportionment plans.—

1629 (1) MOTOR VEHICLE INSURANCE RISK APPORTIONMENT.—Agreements  
1630 may be made among casualty and surety insurers with respect to  
1631 the equitable apportionment among them of insurance that ~~which~~  
1632 may be afforded applicants who are in good faith entitled to,  
1633 but are unable to, procure such insurance through ordinary  
1634 methods, and such insurers may agree among themselves on the use  
1635 of reasonable rate modifications for such insurance. Such  
1636 agreements and rate modifications are ~~shall be~~ subject to the  
1637 approval of the office. The office shall, after consultation  
1638 with the insurers licensed to write automobile liability  
1639 insurance in this state, adopt a reasonable plan or plans for  
1640 the equitable apportionment among such insurers of applicants  
1641 for such insurance who are in good faith entitled to, but are  
1642 unable to, procure such insurance through ordinary methods, and,  
1643 when such plan has been adopted, all such insurers shall  
1644 subscribe to and participate in the plan ~~thereto and shall~~  
1645 ~~participate therein~~. Such plan or plans shall include rules for  
1646 classification of risks and rates therefor. The plan or plans  
1647 shall make available ~~noncancelable~~ coverage as provided in s.  
1648 627.7275(2). Any insured placed with the plan must ~~shall~~ be  
1649 notified of the fact that insurance coverage is being afforded  
1650 through the plan and not through the private market, and such  
1651 notification must ~~shall~~ be given in writing within 10 days of  
1652 such placement. To assure that plan rates are made adequate to  
1653 pay claims and expenses, insurers shall develop a means of

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1654 obtaining loss and expense experience at least annually, and the  
1655 plan shall file such experience, when available, with the office  
1656 in sufficient detail to make a determination of rate adequacy.  
1657 Prior to the filing of such experience with the office, the plan  
1658 shall poll each member insurer as to the need for an actuary who  
1659 is a member of the Casualty Actuarial Society and who is not  
1660 affiliated with the plan's statistical agent to certify the  
1661 plan's rate adequacy. If a majority of those insurers responding  
1662 indicate a need for such certification, the plan must ~~shall~~  
1663 include the certification as part of its experience filing. Such  
1664 experience shall be filed with the office not more than 9 months  
1665 following the end of the annual statistical period under review,  
1666 together with a rate filing based on such ~~said~~ experience. The  
1667 office shall initiate proceedings to disapprove the rate and so  
1668 notify the plan or shall finalize its review within 60 days  
1669 after ~~of~~ receipt of the filing. Notification to the plan by the  
1670 office of its preliminary findings, which include a point of  
1671 entry to the plan pursuant to chapter 120, tolls ~~shall toll~~ the  
1672 60-day period during any such proceedings and subsequent  
1673 judicial review. The rate is ~~shall be~~ deemed approved if the  
1674 office does not issue notice to the plan of its preliminary  
1675 findings within 60 days after ~~of~~ the filing. In addition to  
1676 provisions for claims and expenses, the ratemaking formula must  
1677 ~~shall~~ include a factor for projected claims trending and 5  
1678 percent for contingencies. ~~In no instance shall~~ The formula may  
1679 not include a renewal discount for plan insureds. However, the  
1680 plan shall reunderwrite each insured on an annual basis, based  
1681 upon all applicable rating factors approved by the office. Trend  
1682 factors may ~~shall~~ not be found to be inappropriate if they are

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1683 not in excess of trend factors normally used in the development  
1684 of residual market rates by the appropriate licensed rating  
1685 organization. Each application for coverage in the plan must  
1686 ~~shall~~ include, in boldfaced 12-point type immediately preceding  
1687 the applicant's signature, the following statement:

1688  
1689       "THIS INSURANCE IS BEING AFFORDED THROUGH THE FLORIDA  
1690       JOINT UNDERWRITING ASSOCIATION AND NOT THROUGH THE  
1691       PRIVATE MARKET. PLEASE BE ADVISED THAT COVERAGE WITH A  
1692       PRIVATE INSURER MAY BE AVAILABLE FROM ANOTHER AGENT AT  
1693       A LOWER COST. AGENT AND COMPANY LISTINGS ARE AVAILABLE  
1694       IN THE LOCAL YELLOW PAGES."

1695  
1696 The plan shall annually report to the office the number and  
1697 percentage of plan insureds who are not surcharged due to their  
1698 driving record.

1699       Section 30. Paragraph (b) of subsection (2) of section  
1700 627.7275, Florida Statutes, is amended to read:

1701       627.7275 Motor vehicle liability.—

1702       (2)

1703       (b) The policies described in paragraph (a) must ~~shall~~ be  
1704 issued for at least 6 months and, ~~as to the minimum coverages~~  
1705 ~~required under this section, may not be canceled by the insured~~  
1706 ~~for any reason or by the insurer after 60 days, during which~~  
1707 ~~period the insurer is completing the underwriting of the policy.~~  
1708 After the insurer has issued ~~completed underwriting~~ the policy,  
1709 the insurer shall notify the Department of Highway Safety and  
1710 Motor Vehicles that the policy is in full force and effect ~~and~~  
1711 ~~is not cancelable for the remainder of the policy period. A~~

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1712 ~~premium shall be collected and the coverage is in effect for the~~  
1713 ~~60-day period during which the insurer is completing the~~  
1714 ~~underwriting of the policy whether or not the person's driver~~  
1715 ~~license, motor vehicle tag, and motor vehicle registration are~~  
1716 ~~in effect. Once the noncancelable provisions of the policy~~  
1717 becomes ~~become~~ effective, the coverages for bodily injury,  
1718 property damage, and personal injury protection may not be  
1719 reduced during the policy period below the minimum limits  
1720 required under s. 324.021 or s. 324.023 ~~during the policy~~  
1721 ~~period.~~

1722 Section 31. Except as otherwise expressly provided in this  
1723 act, this act shall take effect July 1, 2023.