

1                                   A bill to be entitled  
 2           An act relating to driver license, identification  
 3           card, and motor vehicle registration; amending s.  
 4           316.066, F.S.; revising the parties that may receive  
 5           confidential crash reports to include law enforcement  
 6           agencies and their contracted service providers;  
 7           amending s. 316.2935, F.S.; providing applicability  
 8           relating to air pollution control equipment  
 9           certification requirements; amending ss. 320.02 and  
 10          322.08, F.S.; requiring that the motor vehicle  
 11          registration form and registration renewal form and  
 12          the driver license or identification card application  
 13          form, respectively, include an option to make a  
 14          voluntary contribution to Best Buddies International,  
 15          Inc.; amending s. 320.0657, F.S.; revising the  
 16          definition of the term "fleet"; amending s. 324.021,  
 17          F.S.; defining the terms "control" and "motor vehicle  
 18          dealer's leasing or rental affiliate" for purposes of  
 19          ch. 324, F.S.; amending ss. 324.0221 and 324.131,  
 20          F.S.; revising motor vehicle insurance coverage  
 21          requirements for certain persons; amending s. 627.311,  
 22          F.S.; revising a requirement for coverage made  
 23          available by the Florida Automobile Joint Underwriting  
 24          Association and the joint underwriting plan approved  
 25          by the Office of Insurance Regulation; amending s.

26 627.7275, F.S.; revising requirements for motor  
 27 vehicle insurance policies; providing an effective  
 28 date.

29  
 30 Be It Enacted by the Legislature of the State of Florida:

31  
 32 Section 1. Paragraph (b) of subsection (2) of section  
 33 316.066, Florida Statutes, as amended by section 1 of chapter  
 34 2022-198, Laws of Florida, is amended to read:

35 316.066 Written reports of crashes.—

36 (2)

37 (b) Crash reports held by an agency under paragraph (a)  
 38 may be made immediately available to the parties involved in the  
 39 crash, their legal representatives, their licensed insurance  
 40 agents, their insurers or insurers to which they have applied  
 41 for coverage, persons under contract with such insurers to  
 42 provide claims or underwriting information, law enforcement  
 43 agencies and their contracted service providers, victim services  
 44 programs, and any federal, state, or local governmental agency  
 45 or any private person or entity acting on behalf of a federal,  
 46 state, or local governmental agency in carrying out its  
 47 functions, but not for redistribution to any person or entity  
 48 not listed in this subsection. Crash reports held by an agency  
 49 under paragraph (a) which do not contain the home or employment  
 50 street addresses, driver license or identification card numbers,

51 | dates of birth, and home and employment telephone numbers of the  
52 | parties involved in the crash shall be made immediately  
53 | available to radio and television stations licensed by the  
54 | Federal Communications Commission and newspapers qualified to  
55 | publish legal notices under ss. 50.011 and 50.031. A crash  
56 | report may also be made available to any third party acting on  
57 | behalf of a person or entity authorized under this section to  
58 | access the crash report, except that the third party may  
59 | disclose the crash report only to the person or entity  
60 | authorized to access the crash report under this section on  
61 | whose behalf the third party has sought the report. This section  
62 | shall not prevent an agency, pursuant to a memorandum of  
63 | understanding, from providing data derived from crash reports to  
64 | a third party solely for the purpose of identifying vehicles  
65 | involved in crashes if such data does not reveal the identity,  
66 | home or employment telephone number or home or employment  
67 | address, or other personal information of the parties involved  
68 | in the crash.

69 | Section 2. Paragraph (b) of subsection (1) of section  
70 | 316.2935, Florida Statutes, is amended to read:

71 | 316.2935 Air pollution control equipment; tampering  
72 | prohibited; penalty.—

73 | (1)

74 | (b) At the time of sale, lease, or transfer of title of a  
75 | motor vehicle, the seller, lessor, or transferor shall certify

76 | in writing to the purchaser, lessee, or transferee that the air  
 77 | pollution control equipment of the motor vehicle has not been  
 78 | tampered with by the seller, lessor, or transferor or their  
 79 | agents, employees, or other representatives. A licensed motor  
 80 | vehicle dealer shall also visually observe those air pollution  
 81 | control devices listed by department rule pursuant to subsection  
 82 | (7), and certify that they are in place, and appear properly  
 83 | connected and undamaged. Such certification shall not be deemed  
 84 | or construed as a warranty that the pollution control devices of  
 85 | the subject vehicle are in functional condition, nor does the  
 86 | execution or delivery of this certification create by itself  
 87 | grounds for a cause of action between the parties to this  
 88 | transaction. This paragraph does not apply when the purchaser of  
 89 | the motor vehicle is a lessee purchasing the leased motor  
 90 | vehicle and the licensed motor vehicle dealer is not in  
 91 | possession of the motor vehicle at the time of sale.

92 | Section 3. Paragraph (v) is added to subsection (16) of  
 93 | section 320.02, Florida Statutes, to read:

94 | 320.02 Registration required; application for  
 95 | registration; forms.—

96 | (16)

97 | (v) The application form for motor vehicle registration  
 98 | and renewal of registration must include language permitting a  
 99 | voluntary contribution of \$1 to Best Buddies International, Inc.  
 100 | Such contributions shall be distributed monthly by the

101 department to Best Buddies International Inc., a corporation not  
 102 for profit under s. 501(c)(3) of the Internal Revenue Code.

103  
 104 For the purpose of applying the service charge provided in s.  
 105 215.20, contributions received under this subsection are not  
 106 income of a revenue nature.

107 Section 4. Subsection (1) of section 320.0657, Florida  
 108 Statutes, is amended to read:

109 320.0657 Permanent registration; fleet license plates.—

110 (1) As used in this section, the term "fleet" means  
 111 nonapportioned motor vehicles owned or leased by a company and  
 112 used for business purposes. A fleet consists of a minimum of 100  
 113 motor vehicles or a minimum of 25 trailers or semitrailers  
 114 ~~Vehicle numbers comprising a "fleet" shall be established by the~~  
 115 ~~department.~~ Vehicles registered as short-term rental vehicles  
 116 are excluded from the provisions of this section.

117 Section 5. Subsection (8) of section 322.08, Florida  
 118 Statutes, is amended to read:

119 322.08 Application for license; requirements for license  
 120 and identification card forms.—

121 (8) The application form for an original, renewal, or  
 122 replacement driver license or identification card must include  
 123 language permitting the following:

124 (a) A voluntary contribution of \$1 per applicant, which  
 125 contribution shall be deposited into the Health Care Trust Fund

126 | for organ and tissue donor education and for maintaining the  
127 | organ and tissue donor registry.

128 |       (b) A voluntary contribution of \$1 per applicant, which  
129 | shall be distributed to the Florida Council of the Blind.

130 |       (c) A voluntary contribution of \$2 per applicant, which  
131 | shall be distributed to the Hearing Research Institute,  
132 | Incorporated.

133 |       (d) A voluntary contribution of \$1 per applicant, which  
134 | shall be distributed to the Juvenile Diabetes Foundation  
135 | International.

136 |       (e) A voluntary contribution of \$1 per applicant, which  
137 | shall be distributed to the Children's Hearing Help Fund.

138 |       (f) A voluntary contribution of \$1 per applicant, which  
139 | shall be distributed to Family First, a nonprofit organization.

140 |       (g) A voluntary contribution of \$1 per applicant to Stop  
141 | Heart Disease, which shall be distributed to the Florida Heart  
142 | Research Institute, a nonprofit organization.

143 |       (h) A voluntary contribution of \$1 per applicant to Senior  
144 | Vision Services, which shall be distributed to the Florida  
145 | Association of Agencies Serving the Blind, Inc., a not-for-  
146 | profit organization.

147 |       (i) A voluntary contribution of \$1 per applicant for  
148 | services for persons with developmental disabilities, which  
149 | shall be distributed to The Arc of Florida.

150 |       (j) A voluntary contribution of \$1 to the Ronald McDonald

151 House, which shall be distributed each month to Ronald McDonald  
 152 House Charities of Tampa Bay, Inc.

153 (k) Notwithstanding s. 322.081, a voluntary contribution  
 154 of \$1 per applicant, which shall be distributed to the League  
 155 Against Cancer/La Liga Contra el Cancer, a not-for-profit  
 156 organization.

157 (l) A voluntary contribution of \$1 per applicant to  
 158 Prevent Child Sexual Abuse, which shall be distributed to  
 159 Lauren's Kids, Inc., a nonprofit organization.

160 (m) A voluntary contribution of \$1 per applicant, which  
 161 shall be distributed to Prevent Blindness Florida, a not-for-  
 162 profit organization, to prevent blindness and preserve the sight  
 163 of the residents of this state.

164 (n) Notwithstanding s. 322.081, a voluntary contribution  
 165 of \$1 per applicant to the state homes for veterans, to be  
 166 distributed on a quarterly basis by the department to the  
 167 Operations and Maintenance Trust Fund within the Department of  
 168 Veterans' Affairs.

169 (o) A voluntary contribution of \$1 per applicant to the  
 170 Disabled American Veterans, Department of Florida, which shall  
 171 be distributed quarterly to Disabled American Veterans,  
 172 Department of Florida, a nonprofit organization.

173 (p) A voluntary contribution of \$1 per applicant for  
 174 Autism Services and Supports, which shall be distributed to  
 175 Achievement and Rehabilitation Centers, Inc., Autism Services

176 Fund.

177 (q) A voluntary contribution of \$1 per applicant to  
 178 Support Our Troops, which shall be distributed to Support Our  
 179 Troops, Inc., a Florida not-for-profit organization.

180 (r) Notwithstanding s. 322.081, a voluntary contribution  
 181 of \$1 per applicant to aid the homeless. Contributions made  
 182 pursuant to this paragraph shall be deposited into the Grants  
 183 and Donations Trust Fund of the Department of Children and  
 184 Families and used by the State Office on Homelessness to  
 185 supplement grants made under s. 420.622(4) and (5), provide  
 186 information to the public about homelessness in the state, and  
 187 provide literature for homeless persons seeking assistance.

188 (s) A voluntary contribution of \$1 or more per applicant  
 189 to End Breast Cancer, which shall be distributed to the Florida  
 190 Breast Cancer Foundation.

191 (t) Notwithstanding s. 322.081(1), a voluntary  
 192 contribution of \$1 or more per applicant to Childhood Cancer  
 193 Care, which shall be distributed to the Live Like Bella  
 194 Childhood Cancer Foundation.

195 (u) A voluntary contribution of \$1 or more per applicant  
 196 to Best Buddies International, Inc., which shall be distributed  
 197 monthly to Best Buddies International, Inc., a corporation not  
 198 for profit under s. 501(c)(3) of the Internal Revenue Code.

199  
 200 A statement providing an explanation of the purpose of the trust



201 funds shall also be included. For the purpose of applying the  
 202 service charge provided under s. 215.20, contributions received  
 203 under paragraphs (b)-(u) ~~(b)-(t)~~ are not income of a revenue  
 204 nature.

205 Section 6. Paragraph (c) of subsection (9) of section  
 206 324.021, Florida Statutes, is amended to read:

207 324.021 Definitions; minimum insurance required.—The  
 208 following words and phrases when used in this chapter shall, for  
 209 the purpose of this chapter, have the meanings respectively  
 210 ascribed to them in this section, except in those instances  
 211 where the context clearly indicates a different meaning:

212 (9) OWNER; OWNER/LESSOR.—

213 (c) *Application*.—

214 1. The limits on liability in subparagraphs (b)2. and 3.  
 215 do not apply to an owner of motor vehicles that are used for  
 216 commercial activity in the owner's ordinary course of business,  
 217 other than a rental company that rents or leases motor vehicles.  
 218 For purposes of this paragraph, the term "rental company"  
 219 includes only an entity that is engaged in the business of  
 220 renting or leasing motor vehicles to the general public and that  
 221 rents or leases a majority of its motor vehicles to persons with  
 222 no direct or indirect affiliation with the rental company. The  
 223 term "rental company" also includes:

224 a. A related rental or leasing company that is a  
 225 subsidiary of the same parent company as that of the renting or

226 leasing company that rented or leased the vehicle.

227       b. The holder of a motor vehicle title or an equity  
 228 interest in a motor vehicle title if the title or equity  
 229 interest is held pursuant to or to facilitate an asset-backed  
 230 securitization of a fleet of motor vehicles used solely in the  
 231 business of renting or leasing motor vehicles to the general  
 232 public and under the dominion and control of a rental company,  
 233 as described in this subparagraph, in the operation of such  
 234 rental company's business.

235       2. Furthermore, with respect to commercial motor vehicles  
 236 as defined in s. 627.732, the limits on liability in  
 237 subparagraphs (b)2. and 3. do not apply if, at the time of the  
 238 incident, the commercial motor vehicle is being used in the  
 239 transportation of materials found to be hazardous for the  
 240 purposes of the Hazardous Materials Transportation Authorization  
 241 Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq., and that is  
 242 required pursuant to such act to carry placards warning others  
 243 of the hazardous cargo, unless at the time of lease or rental  
 244 either:

245       a. The lessee indicates in writing that the vehicle will  
 246 not be used to transport materials found to be hazardous for the  
 247 purposes of the Hazardous Materials Transportation Authorization  
 248 Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq.; or

249       b. The lessee or other operator of the commercial motor  
 250 vehicle has in effect insurance with limits of at least

251 \$5,000,000 combined property damage and bodily injury liability.

252 3.a. A motor vehicle dealer, or a motor vehicle dealer's  
253 leasing or rental affiliate, that provides a temporary  
254 replacement vehicle at no charge or at a reasonable daily charge  
255 to a service customer whose vehicle is being held for repair,  
256 service, or adjustment by the motor vehicle dealer is immune  
257 from any cause of action and is not liable, vicariously or  
258 directly, under general law solely by reason of being the owner  
259 of the temporary replacement vehicle for harm to persons or  
260 property that arises out of the use, or operation, of the  
261 temporary replacement vehicle by any person during the period  
262 the temporary replacement vehicle has been entrusted to the  
263 motor vehicle dealer's service customer if there is no  
264 negligence or criminal wrongdoing on the part of the motor  
265 vehicle owner, or its leasing or rental affiliate.

266 b. For purposes of this section, and notwithstanding any  
267 other provision of general law, a motor vehicle dealer, or a  
268 motor vehicle dealer's leasing or rental affiliate, that gives  
269 possession, control, or use of a temporary replacement vehicle  
270 to a motor vehicle dealer's service customer may not be adjudged  
271 liable in a civil proceeding absent negligence or criminal  
272 wrongdoing on the part of the motor vehicle dealer, or the motor  
273 vehicle dealer's leasing or rental affiliate, if the motor  
274 vehicle dealer or the motor vehicle dealer's leasing or rental  
275 affiliate executes a written rental or use agreement and obtains

276 | from the person receiving the temporary replacement vehicle a  
277 | copy of the person's driver license and insurance information  
278 | reflecting at least the minimum motor vehicle insurance coverage  
279 | required in the state. Any subsequent determination that the  
280 | driver license or insurance information provided to the motor  
281 | vehicle dealer, or the motor vehicle dealer's leasing or rental  
282 | affiliate, was in any way false, fraudulent, misleading,  
283 | nonexistent, canceled, not in effect, or invalid does not alter  
284 | or diminish the protections provided by this section, unless the  
285 | motor vehicle dealer, or the motor vehicle dealer's leasing or  
286 | rental affiliate, had actual knowledge thereof at the time  
287 | possession of the temporary replacement vehicle was provided.

288 |       c. For purposes of this subparagraph, the term:

289 |       (I) "Control" means the power to direct the management and  
290 | policies of a person, whether through ownership of voting  
291 | securities or otherwise.

292 |       (II) "Motor vehicle dealer's leasing or rental affiliate"  
293 | means a person who directly or indirectly controls, is  
294 | controlled by, or is under common control with the motor vehicle  
295 | dealer.

296 |       d. For purposes of this subparagraph, the term "service  
297 | customer" does not include an agent or a principal of a motor  
298 | vehicle dealer or a motor vehicle dealer's leasing or rental  
299 | affiliate, and does not include an employee of a motor vehicle  
300 | dealer or a motor vehicle dealer's leasing or rental affiliate

301 unless the employee was provided a temporary replacement  
 302 vehicle:

303 (I) While the employee's personal vehicle was being held  
 304 for repair, service, or adjustment by the motor vehicle dealer;

305 (II) In the same manner as other customers who are  
 306 provided a temporary replacement vehicle while the customer's  
 307 vehicle is being held for repair, service, or adjustment; and

308 (III) The employee was not acting within the course and  
 309 scope of his or her employment.

310 Section 7. Subsection (3) of section 324.0221, Florida  
 311 Statutes, is amended to read:

312 324.0221 Reports by insurers to the department; suspension  
 313 of driver license and vehicle registrations; reinstatement.—

314 (3) An operator or owner whose driver license or  
 315 registration has been suspended under this section or s. 316.646  
 316 may affect ~~effect~~ its reinstatement upon compliance with the  
 317 requirements of this section and upon payment to the department  
 318 of a nonrefundable reinstatement fee of \$150 for the first  
 319 reinstatement. The reinstatement fee is \$250 for the second  
 320 reinstatement and \$500 for each subsequent reinstatement during  
 321 the 3 years following the first reinstatement. A person  
 322 reinstating her or his insurance under this subsection must also  
 323 secure ~~noncancelable~~ coverage as described in ss. 324.021(8),  
 324 324.023, and 627.7275(2) and present to the appropriate person  
 325 proof that the coverage is in force on a form adopted by the

326 department, and such proof shall be maintained for 2 years. If  
327 the person does not have a second reinstatement within 3 years  
328 after her or his initial reinstatement, the reinstatement fee is  
329 \$150 for the first reinstatement after that 3-year period. If a  
330 person's license and registration are suspended under this  
331 section or s. 316.646, only one reinstatement fee must be paid  
332 to reinstate the license and the registration. All fees shall be  
333 collected by the department at the time of reinstatement. The  
334 department shall issue proper receipts for such fees and shall  
335 promptly deposit those fees in the Highway Safety Operating  
336 Trust Fund. One-third of the fees collected under this  
337 subsection shall be distributed from the Highway Safety  
338 Operating Trust Fund to the local governmental entity or state  
339 agency that employed the law enforcement officer seizing the  
340 license plate pursuant to s. 324.201. The funds may be used by  
341 the local governmental entity or state agency for any authorized  
342 purpose.

343 Section 8. Section 324.131, Florida Statutes, is amended  
344 to read:

345 324.131 Period of suspension.—Such license, registration  
346 and nonresident's operating privilege shall remain so suspended  
347 and shall not be renewed, nor shall any such license or  
348 registration be thereafter issued in the name of such person,  
349 including any such person not previously licensed, unless and  
350 until every such judgment is stayed, satisfied in full or to the

351 extent of the limits stated in s. 324.021(7) and until the said  
 352 person gives proof of financial responsibility as provided in s.  
 353 324.031, such proof to be maintained for 3 years. In addition,  
 354 if the person's license or registration has been suspended or  
 355 revoked due to a violation of s. 316.193 or pursuant to s.  
 356 322.26(2), that person shall maintain ~~noncancelable~~ liability  
 357 coverage for each motor vehicle registered in his or her name,  
 358 as described in s. 627.7275(2), and must present proof that  
 359 coverage is in force on a form adopted by the Department of  
 360 Highway Safety and Motor Vehicles, such proof to be maintained  
 361 for 3 years.

362 Section 9. Paragraph (g) of subsection (3) of section  
 363 627.311, Florida Statutes, is amended to read:

364 627.311 Joint underwriters and joint reinsurers; public  
 365 records and public meetings exemptions.—

366 (3) The office may, after consultation with insurers  
 367 licensed to write automobile insurance in this state, approve a  
 368 joint underwriting plan for purposes of equitable apportionment  
 369 or sharing among insurers of automobile liability insurance and  
 370 other motor vehicle insurance, as an alternate to the plan  
 371 required in s. 627.351(1). All insurers authorized to write  
 372 automobile insurance in this state shall subscribe to the plan  
 373 and participate therein. The plan shall be subject to continuous  
 374 review by the office which may at any time disapprove the entire  
 375 plan or any part thereof if it determines that conditions have

376 | changed since prior approval and that in view of the purposes of  
 377 | the plan changes are warranted. Any disapproval by the office  
 378 | shall be subject to the provisions of chapter 120. The Florida  
 379 | Automobile Joint Underwriting Association is created under the  
 380 | plan. The plan and the association:

381 |       (g) Must make available ~~noncancelable~~ coverage as provided  
 382 | in s. 627.7275(2).

383 |       Section 10. Paragraph (b) of subsection (2) of section  
 384 | 627.7275, Florida Statutes, is amended to read:

385 |       627.7275 Motor vehicle liability.—

386 |       (2)

387 |       (b) The policies described in paragraph (a) shall be  
 388 | issued for at least 6 months ~~and, as to the minimum coverages~~  
 389 | ~~required under this section, may not be canceled by the insured~~  
 390 | ~~for any reason or by the insurer after 60 days, during which~~  
 391 | ~~period the insurer is completing the underwriting of the policy.~~  
 392 | After the insurer has issued ~~completed underwriting~~ the policy,  
 393 | the insurer shall notify the Department of Highway Safety and  
 394 | Motor Vehicles that the policy is in full force and effect ~~and~~  
 395 | ~~is not cancelable for the remainder of the policy period. A~~  
 396 | ~~premium shall be collected and the coverage is in effect for the~~  
 397 | ~~60-day period during which the insurer is completing the~~  
 398 | ~~underwriting of the policy whether or not the person's driver~~  
 399 | ~~license, motor vehicle tag, and motor vehicle registration are~~  
 400 | ~~in effect.~~ Once the ~~noncancelable~~ provisions of the policy



401 | become effective, the coverages for bodily injury, property  
402 | damage, and personal injury protection may not be reduced below  
403 | the minimum limits required under s. 324.021 or s. 324.023  
404 | during the policy period.

405 |       Section 11. This act shall take effect October 1, 2023.