

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

BILL: CS/SB 1348

INTRODUCER: Transportation Committee and Senator Trumbull

SUBJECT: Department of Highway Safety and Motor Vehicles

DATE: April 14, 2025

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<u>Fav/CS</u>
2.	<u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u>Pre-meeting</u>
3.	<u> </u>	<u> </u>	<u>AP</u>	<u> </u>

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1348 amends various provisions related to the Department of Highway Safety and Motor Vehicles (DHSMV), including tax collector duties and responsibilities, driver license issuance and revocation, and disabled parking permits. Specifically, the bill:

- Authorizes tax collectors to deliver certain documents by mail or make them available at the tax collector's office.
- Allows tax collectors to process applications for duplicate certificates of title.
- Revises the requirements governing the issuance of permanent disabled parking permits.
- Amends legislative intent language to provide that the transition of driver license issuance services from the DHSMV to tax collectors must be completed no later than June 30, 2027.
- Requires certain driver license applicants to retake examinations.
- Authorizes tax collectors to process specified transactions using the DHSMV's online license and registration portal and offer licensees certain charitable donation options.
- Requires the revocation of a restricted driving privilege in certain circumstances.

The bill will have an indeterminate negative fiscal impact on the government sector. **See Section V., Fiscal Impact Statement.**

The bill takes effect July 1, 2025.

II. Present Situation:

Certificate of Original and Duplicate Title Issuance

An application for a certificate of title must be filed with the DHSMV, and must be accompanied by the required fee of \$75.75 (or \$87.75 for a vehicle with an out-of-state title).¹ If a certificate of title has previously been issued for a motor vehicle or mobile home in this state, the application for a certificate of title must be accompanied by the certificate of title duly assigned, or assigned and reassigned.² If the motor vehicle or mobile home for which application for a certificate of title is made is a new motor vehicle or new mobile home for which one or more manufacturers' statements of origin are required by the provisions of the application for a certificate of title must be accompanied by all such manufacturers' statements of origin.³

A duly authorized person must sign the original certificate of title and each corrected certificate and, if there are no liens or encumbrances on the motor vehicle or mobile home, as shown in the records of the DHSMV or as shown in the application, deliver the certificate to the applicant or to another person as directed by the applicant or person, agent, or attorney submitting the application.⁴

Lost or Destroyed Certificates

If a certificate of title is lost or destroyed, application for a duplicate copy must be made to the DHSMV by the owner of the motor vehicle or mobile home or the holder of a lien on a form prescribed by DHSMV and accompanied by the fee prescribed in ch. 319, F.S. The application must be signed and sworn to by the applicant.⁵ The DHSMV must issue a duplicate copy of the certificate of title to the person entitled to receive the certificate of title under the provisions of ch. 319, F.S.⁶

Mailing of Registration Certificates, License Plates, and Validation Stickers

The DHSMV and tax collectors may, at the request of the applicant, use the United States Postal Service to deliver registration certificates and renewals, license plates, mobile home stickers, and validation stickers to applicants.⁷

Issuance of Disabled Parking Permits

The DHSMV or its authorized agents must, upon application and receipt of the required fee, issue a disabled parking permit for a period of up to 4 years, which period ends on the applicant's birthday, to any person who has long-term mobility impairment. No person will be

¹ Section 319.23(1), F.S.

² *Id.*

³ *Id.*

⁴ Section 319.24(2), F.S.

⁵ Section 319.29(4), F.S.

⁶ *Id.*

⁷ Section 320.031(1), F.S.

required to pay a fee for a parking permit for disabled persons more than once in a 12-month period from the date of the prior fee payment.⁸

In order for an applicant to be certified as having a long-term mobility impairment for a disabled parking permit, they must meet one of the following criteria:

- Is certified legally blind.
- Has an inability to walk without the use of or assistance from a brace, cane, crutch, prosthetic device, or other assistive device, or without the assistance of another person. If the assistive device significantly restores the person's ability to walk to the extent that the person can walk without severe limitation, the person is not eligible for the exemption parking permit.
- The need to permanently use a wheelchair.
- Restriction by lung disease to the extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter, or the person's arterial oxygen is less than 60 mm/hg on room air at rest.
- Use of portable oxygen.
- Restriction by cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.
- Severe limitation in the person's ability to walk due to an arthritic, neurological, or orthopedic condition.⁹

The certification of the disability listed above must be provided by a specified physician, with certain requirements related to the long-term mobility impairment. The certificate of disability must include the:

- Disability of the applicant;
- Certifying practitioner's name, address, and certification number;
- Eligibility criteria for the permit;
- Penalty for falsification by either the certifying practitioner or applicant;
- Duration of the condition that entitles the applicant for the permit;
- Justification for any additional placard;
- Statement, in bold letters: "A disabled parking permit may be issued only for a medical necessity that severely affects mobility;" and
- Signatures of the applicant's physician or other certifying practitioner, applicant, and employee of the DHSMV's authorized agent which is processing the application.¹⁰

A disabled parking permit is a placard that is visible from the front and the rear of a vehicle and must be hung from the vehicle's rear-view mirror when the vehicle is parked in a designated accessible parking space.¹¹ Each side of the placard displays the international symbol of accessibility, and a decal indicating the expiration date of the placard. One side of the placard

⁸ Section 320.0848(1)(a), F.S.

⁹ Section 320.0848(1)(b), F.S.

¹⁰ Section 320.0848(1)(c), F.S.

¹¹ DHSMV, Application for Disabled Person Parking Permit, available at <https://www.flhsmv.gov/pdf/forms/83039.pdf> (last visited March 29, 2025).

must display the applicant's Florida driver license or identification card number, along with a warning that the applicant must have such identification at all times while using the permit.¹²

A law enforcement officer or parking enforcement specialist has the right to demand to be shown the person's disabled parking permit and driver license or identification card and may charge the person in control of the vehicle with resisting an officer without violence if the person refuses.¹³

Any person who fraudulently obtains or unlawfully displays a disabled parking permit that belongs to another person while occupying a disabled parking space, or who uses an unauthorized replica of such permit, is guilty of a second degree misdemeanor.¹⁴

Any person who knowingly makes a false or misleading statement on an application to obtain a disabled parking permit commits a first degree misdemeanor.¹⁵

Transition of Driver License Issuance Services to Tax Collectors

Section 322.02, F.S., provides a statement of legislative intent relating to the transition of driver license services from the DHSMV to the tax collectors.¹⁶ Specifically, the statement provides that it is the intent of the Legislature that the complete transition of all driver license issuance services to tax collectors, who are constitutional officers under s. 1(d), Art. VIII of the State Constitution, be completed no later than June 30, 2015.¹⁷ The transition of services to appointed charter county tax collectors may occur on a limited basis as directed by the DHSMV.¹⁸

The tax collector in and for his or her county may be designated the exclusive agent of the DHSMV to implement and administer the provisions of ch. 322, F.S., as provided by s. 322.135, F.S.¹⁹

On November 6, 2018, Florida voters approved Amendment 10 to the Florida Constitution, which provided for the election of tax collectors in all counties, including the counties of Volusia, Broward, and Miami-Dade, who had yet to elect tax collectors in their respective counties. A tax collector for Volusia County was elected in 2021 and began to assume the duties of issuing driver's licenses in its two offices, which was completed at the end of January 2022. Broward and Miami-Dade counties elected new tax collectors in November of 2024, and as of March of 2025, have begun the transition of those duties from the DHSMV. Until the transition is complete for Miami-Dade and Broward counties, the DHSMV will continue its driver license services in its eight offices in Miami-Dade County, and its five offices in Broward County.

¹² An exemption may be obtained from this requirement by the certifying physician in cases where the severity of the disability prevents the person from physically visiting or being transported in order to be issued a driver license or identification card; s. 320.0848(2)(a), F.S.

¹³ Section 316.1955, F.S.

¹⁴ Section 320.0848(7), F.S.

¹⁵ Section 320.0848(6), F.S.

¹⁶ Section 322.02(1), F.S.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Section 322.02(5), F.S.

Miami-Dade County has assumed operation of one of the DHSMV's driver license offices as of March 2025.²⁰

Driver License Examinations

The DHSMV is required to conduct an examination of every applicant for a driver license, including an applicant who is licensed in another state or country, except under certain conditions.²¹ A person who holds a learner's driver license is not required to pay a fee for successfully completing the examination showing his or her ability to operate a motor vehicle and need not pay the fee for a replacement license.²²

Class E Driver License

A Class E driver license examination includes all of the following:

- A test of the applicant's eyesight given by the driver license examiner designated by the DHSMV or by a licensed ophthalmologist, optometrist, or physician.²³
- A test of the applicant's hearing given by a driver license examiner or a licensed physician.²⁴
- A test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic; his or her knowledge of the traffic laws of this state, including laws regulating driving under the influence of alcohol or controlled substances, driving with an unlawful blood-alcohol level, and driving while intoxicated; and his or her knowledge of the effects of alcohol and controlled substances upon persons and the dangers of driving a motor vehicle while under the influence of alcohol or controlled substances.²⁵
- An actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle.²⁶

Commercial Driver License

The examination for a commercial driver license must include the following:

- A test of the applicant's eyesight given by a driver license examiner designated by the DHSMV or by a licensed ophthalmologist, optometrist, or physician and a test of the applicant's hearing given by a driver license examiner or a licensed physician.
- A test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic; his or her knowledge of the traffic laws of this state pertaining to the class of motor vehicle which he or she is applying to be licensed to operate, including laws regulating driving under the influence of alcohol or controlled substances, driving with an unlawful blood-alcohol level, and driving while intoxicated; his or her knowledge of the effects of alcohol and controlled substances and the dangers of driving a motor vehicle after having consumed alcohol or controlled substances; and his or her knowledge of any special

²⁰ DHSMV, *2025 Legislative Bill Analysis: SB 1348* (March 17, 2025) at p. 4 (on file with the Senate Transportation Committee).

²¹ Section 322.12(2), F.S.

²² *Id.*

²³ Section 322.12(3)(a), F.S.

²⁴ Section 322.12(3)(b), F.S.

²⁵ Section 322.12(3)(c), F.S.

²⁶ Section 322.12(3)(d), F.S.

skills, requirements, or precautions necessary for the safe operation of the class of vehicle which he or she is applying to be licensed to operate.

- An actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the safe operation of a motor vehicle or combination of vehicles of the type covered by the license classification which the applicant is seeking, including an examination of the applicant's ability to perform an inspection of his or her vehicle.²⁷

The portion of the examination which tests an applicant's safe driving ability must be administered by the DHSMV or by an entity authorized by the DHSMV to administer such examination, pursuant to s. 322.56, F.S. Such an examination must be administered at a location approved by the DHSMV.²⁸

A person who seeks to retain a hazardous-materials endorsement must, upon renewal, pass the test for such endorsement as specified in s. 322.57(1)(e) F.S., if the person has not taken and passed the hazardous-materials test within two years preceding his or her application for a commercial driver license in this state.²⁹

If DHSMV has sufficient evidence that an applicant has cheated on an examination, the DHSMV, after providing a notice of rights under ch. 120, F.S., may suspend a person's driver license for one year. When an applicant returns to take the examination, they are charged \$20 for each subsequent examination. If the test is administered by a tax collector, the tax collector retains the \$20 fee, less the general revenue service fee. The tax collector may also charge a \$6.25 service fee.³⁰

Driver License Agents - Voluntary Contributions

The DHSMV must authorize by interagency agreement the tax collectors, in accordance with rules of the department, to serve as its agent for the provision of specified driver license services.³¹ The services provided by tax collectors are limited to the issuance of driver licenses and identification cards as authorized by ch. 322, F.S.³²

Currently, customers do not have the option of rounding up their transaction amount to the next dollar amount to charity, however, customers are allowed to make a voluntary contribution when renewing a driver license or motor vehicle registration to statutorily approved organizations.³³

Temporary Disqualification of a Commercial Driver License

A person whose privilege to operate a commercial motor vehicle is temporarily disqualified may, upon surrendering his or her commercial driver license, be issued a Class E driver license, valid

²⁷ Section 322.12(4), F.S.

²⁸ Section 322.12(4)(a), F.S.

²⁹ Section 322.12(4)(b), F.S.

³⁰ DHSMV, *supra* note 20, at 5.

³¹ Section 322.135(1), F.S.

³² Section 322.135(1)(a), F.S.

³³ Section 322.08(8), F.S.

for the length of his or her unexpired commercial driver license, at no cost.³⁴ Such person may, upon the completion of his or her disqualification, be issued a commercial driver license, of the type disqualified, for the remainder of his or her unexpired license period.³⁵ Eligible persons must pay the reinstatement fee provided in s. 322.21, F.S., before being issued a commercial driver license.³⁶ This section of law does not currently reference the term “if eligible,” rather it is implied that eligibility is a requirement.

Restricted Driving Privileges

A person whose driving privilege has been revoked under s. 322.27(5) F.S.,³⁷ may, upon expiration of 12 months from the date of such revocation, petition the DHSMV for reinstatement of his or her driving privilege.³⁸ Upon such petition and after investigation of the person’s qualification, fitness, and need to drive, the DHSMV must hold a hearing pursuant to ch. 120, F.S., to determine whether the driving privilege should be reinstated on a restricted basis solely for business or employment purposes.³⁹

Return of Certain Suspended Driver Licenses

An examination is not required for the return of a driver license suspended under the following conditions:

- Failure to comply with civil penalty or failure to appear.
- Failure of a person charged with specified offenses under chs. 316 and 320. F.S.
- Failure to comply with directives ordered by traffic court.
- Failure to pay child support in non-IV-D cases.⁴⁰

A person applying for the return of a license suspended under the above conditions must present the DHSMV with certification from the court that he or she has complied with all obligations and penalties imposed pursuant to the conditions, and that they have complied with all the directives of the court, and pay a nonrefundable service fee of \$60, of which \$37.50 shall be deposited into the General Revenue Fund and \$22.50 shall be deposited into the Highway Safety Operating Trust Fund.⁴¹ If reinstated by the clerk of the court or tax collector, \$37.50 must be retained and \$22.50 must be remitted to the Department of Revenue for deposit into the Highway Safety Operating Trust Fund. Drivers whose licenses are suspended or revoked are required to pay a \$45 fee or \$75 fee under s. 322.21(8), F.S., to reinstate a suspended or revoked license, however, if the \$45 or \$75 fee is paid, the DHSMV will not charge the \$60 fee referenced above.⁴²

³⁴ Section 322.251(4), F.S.

³⁵ *Id.*

³⁶ *Id.*

³⁷ Section 322.27, F.S., provides that DHSMV shall revoke the license of any person designated a habitual offender, as set forth in s. [322.264](#), and such person is not eligible to be relicensed for a minimum of 5 years from the date of revocation, except as provided for in s. [322.271](#). Any person whose license is revoked may, by petition to DHSMV, show cause why his or her license should not be revoked.

³⁸ Section 322.271(1)(b), F.S.

³⁹ *Id.*

⁴⁰ Section 322.29(2), F.S.

⁴¹ *Id.*

⁴² *Id.*

III. Effect of Proposed Changes:

Section 1 amends s. 319.24, F.S., to allow tax collectors, as authorized agents of the DHSMV, to deliver original certificates of title and corrected certificates by mail or make such certificates available to applicants at tax collectors' offices.

Section 2 amends s. 319.29, F.S., to provide that an application for a duplicate copy of a certificate of title may be fulfilled by the tax collector, acting as an authorized agent of the DHSMV. Upon the applicant's request, the duplicate copy may be issued by the tax collector and provided to the applicant at the tax collector's office or mailed by the tax collector to the applicant's address.

Section 3 amends s. 320.031, F.S., to allow tax collectors the ability to deliver in person at the request of the applicant, registration certificates, renewals, duplicate registration certificates, license plates, mobile home stickers, and validation stickers to the applicant.

Section 4 amends s. 320.0848, F.S., to provide that the DHSMV must renew the disabled parking permit of a person certified as permanently disabled on the previous application for a subsequent four-year period without requiring the person to provide another certificate of disability or United States Department of Veteran Affairs Form Letter 27-333, or its equivalent.

The bill would effectively allow a person to continue to apply for a permanently disabled parking permit decal every four years but only have to provide certification of disability from a physician every eight years.

Section 5 amends s. 322.02, F.S., to provide that the transition of all driver license issuance services from DHSMV to tax collectors, including the transition to the recently elected tax collectors in Broward and Miami-Dade counties, must be completed no later than June 30, 2027. The bill also repeals an existing provision that states that the transition of services to appointed charter county tax collectors may occur on a limited basis as directed by the DHSMV.

The DHSMV has indicated that tax collector offices are largely turn-key operations, and the transition of driver license issuance services to the tax collectors should be completed by December 31, 2026. The Miami-Dade County Tax Collector has committed to transitioning at least three of its offices by June 30, 2026. The Broward County Tax Collector is continuing to assess the timeline to transition operations of the DHSMV's driver license offices. The DHSMV indicates that the budget to operate the 14 driver license offices in Miami-Dade and Broward counties is approximately \$27 million a year. The longer the transition takes, the longer the DHSMV will incur expenses associated with the operation of these driver license offices.⁴³

Section 6 amends s. 322.12, F.S., to explicitly state that a Class E driver license or a commercial driver license applicant who is found to have cheated during or otherwise circumvented any portion of the driver license examination must retake the examination.

⁴³ DHSMV, *Supra* note 20 at 6.

Section 7 amends s. 322.135, F.S., to allow tax collectors to process driver license transactions using the DHSMV's online license and registration portal. It also allows tax collectors to offer a licensee or prospective licensee the option to increase the amount of his or her transaction to the next whole dollar amount in order to donate the amount of the increase to a charity registered with the Department of Agriculture and Consumer Services.

According to the DHSMV, the department previously agreed it will build functionality into the myDMV Portal to allow a customer the option to order a credential online and pick it up at their local tax collector's office the same day, if the customer is willing to pay the additional \$6.25 tax collector service fee.⁴⁴

Section 8 amends s. 322.251 F.S., to stipulate that a person whose privilege to operate a commercial motor vehicle is temporarily disqualified, may upon surrendering his or her commercial driver license, be issued a Class E driver license, valid for the length of his or her unexpired commercial license, if eligible, at no cost.

Section 9 amends s. 322.271, F.S., to provide that a person whose driving privilege has been revoked under s. 322.27(5) F.S., as a habitual traffic offender, may upon expiration of 12 months from the date of such revocation, petition the DHSMV for reinstatement of his or her driving privilege on a restricted basis for business or employment purposes. If the person subsequently violates the conditions of the restricted driving privilege, the restricted driving privilege must be revoked and the person is not eligible for any driving privilege for the remaining duration of the five-year period after his or her initial license revocation.

Section 10 amends s. 322.66 F.S., to conform a cross-reference.

Section 11 provides that the bill takes effect July 1, 2025.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

⁴⁴ *Id.*

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

To the extent the bill delays the transition of driver license issuance services in Broward and Miami-Dade counties from the DHSMV to the recently elected tax collectors in those counties the DHSMV could incur additional expenditures.

The DHSMV reports that the bill would have an indeterminate negative fiscal impact on the department associated with information technology programming and implementation.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 319.24, 319.29, 320.031, 320.0848, 322.02, 322.12, 322.135, 322.251, 322.271, and 322.66.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on April 1, 2025:

- Removes the provision related to removing certain commercial motor vehicles from service and the requirement for driver reexamination and third-party testing.
- Provides that a permitholder must continue to apply for a permanently disabled parking permit every four years, but specifies that the permitholder only has to provide certification of disability from a physician every eight years.

- Provides that the transition of driver license issuance services from the DHSMV to the tax collectors must be completed by June 30, 2027.
- Retains the requirement that a driver license applicant who is found to have cheated during the examination must retake the examination but removes an associated fee.
- Removes a provision relating to driver license revocations based solely on convictions for certain nonmoving violations.
- Restores an existing statutory provision that waives a driver license service fee in specified circumstances.

B. Amendments:

None.