

By Senator Trumbull

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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. 316.302, F.S.;
4 requiring certain drivers found to be operating
5 commercial motor vehicles in a certain condition to
6 complete a specified examination, test, and vehicle
7 inspection; amending s. 319.24, F.S.; authorizing tax
8 collectors to deliver by mail or make available at the
9 tax collector's office certificates of title; amending
10 s. 319.29, F.S.; providing that certain applications
11 may be fulfilled by the tax collector acting as an
12 authorized agent of the department; amending s.
13 320.031, F.S.; authorizing the department and tax
14 collectors, as agents of the department, to deliver
15 certain documents, including duplicate registration
16 certificates, in person or by mail; amending s.
17 320.0848, F.S.; revising the time period for which a
18 disabled parking permit is valid; amending s. 322.02,
19 F.S.; revising the year by which the Legislature
20 intends that the transition of certain services to
21 certain tax collectors be complete; deleting a
22 provision authorizing such transition of services to
23 appointed charter county tax collectors on a limited
24 basis; providing that the tax collector is, rather
25 than may be, designated the exclusive agent of the
26 department for a specified purpose; amending s.
27 322.12, F.S.; requiring certain driver license
28 applicants to retake certain examinations; prohibiting
29 such applicants from retaking the examination for a

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30 specified period; requiring that certain driver
31 license applicants pay a specified fine; amending s.
32 322.135, F.S.; authorizing a tax collector to process
33 certain transactions using the department's online
34 license and registration portal; authorizing a tax
35 collector to offer to a licensee or prospective
36 licensee a certain donation option; amending s.
37 322.251, F.S.; authorizing the issuance of a Class E
38 driver license to certain persons, if eligible;
39 amending s. 322.271, F.S.; authorizing certain persons
40 whose driving privileges have been revoked based
41 solely on certain convictions to petition the
42 department for reinstatement of driving privileges;
43 requiring the revocation of a restricted driving
44 privilege for a specified period in certain
45 circumstances; amending s. 322.29, F.S.; deleting a
46 provision providing that a certain service fee is not
47 required under certain circumstances; amending s.
48 322.66, F.S.; conforming a cross-reference; providing
49 an effective date.

50

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

52

53 Section 1. Paragraph (c) is added to subsection (9) of
54 section 316.302, Florida Statutes, to read:

55 316.302 Commercial motor vehicles; safety regulations;
56 transporters and shippers of hazardous materials; enforcement.-

57 (9) For the purpose of enforcing this section, any law
58 enforcement officer of the Department of Highway Safety and

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59 Motor Vehicles or duly appointed agent who holds a current
60 safety inspector certification from the Commercial Vehicle
61 Safety Alliance may require the driver of any commercial vehicle
62 operated on the highways of this state to stop and submit to an
63 inspection of the vehicle or the driver's records. If the
64 vehicle or driver is found to be operating in an unsafe
65 condition, or if any required part or equipment is not present
66 or is not in proper repair or adjustment, and the continued
67 operation would present an unduly hazardous operating condition,
68 the officer or agent may require the vehicle or the driver to be
69 removed from service pursuant to the North American Standard
70 Out-of-Service Criteria, until corrected. However, if continuous
71 operation would not present an unduly hazardous operating
72 condition, the officer or agent may give written notice
73 requiring correction of the condition within 15 days.

74 (c) A driver who holds a commercial driver license or
75 temporary commercial instruction permit issued in this state and
76 is found upon inspection to be operating a commercial motor
77 vehicle in an unduly hazardous operating condition is required
78 to complete the examination required of all driver license
79 applicants under s. 322.12(2), the test required under s.
80 322.12(4)(a)3., and a vehicle inspection conducted by a licensed
81 third-party provider.

82 Section 2. Subsection (2) of section 319.24, Florida
83 Statutes, is amended to read:

84 319.24 Issuance in duplicate; delivery; liens and
85 encumbrances.—

86 (2) A duly authorized person shall sign the original
87 certificate of title and each corrected certificate and, if

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88 there are no liens or encumbrances on the motor vehicle or
89 mobile home, as shown in the records of the department or as
90 shown in the application, must ~~shall~~ deliver the certificate to
91 the applicant or to another person as directed by the applicant
92 or person, agent, or attorney submitting such application. Tax
93 collectors, as authorized agents of the department, may deliver
94 original certificates of title and corrected certificates by
95 mail or make such certificates available to applicants at tax
96 collectors' offices. The motor vehicle dealer license number
97 must be submitted to the department when a dealer applies for or
98 receives a duplicate title. The current odometer reading must be
99 submitted on an application for a duplicate title. If there are
100 one or more liens or encumbrances on the motor vehicle or mobile
101 home, the certificate must ~~shall~~ be delivered by the department
102 to the first lienholder as shown by department records or to the
103 owner as indicated in the notice of lien filed by the first
104 lienholder pursuant to s. 319.27. If the notice of lien filed by
105 the first lienholder indicates that the certificate should be
106 delivered to the first lienholder, the department must ~~shall~~
107 deliver to the first lienholder, along with the certificate, a
108 form to be subsequently used by the lienholder as a
109 satisfaction. If the notice of lien filed by the first
110 lienholder directs the certificate of title to be delivered to
111 the owner, then, upon delivery of the certificate of title by
112 the department to the owner, the department must ~~shall~~ deliver
113 to the first lienholder confirmation of the receipt of the
114 notice of lien and the date the certificate of title was issued
115 to the owner at the owner's address shown on the notice of lien
116 and a form to be subsequently used by the lienholder as a

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117 satisfaction. If the application for certificate shows the name
118 of a first lienholder different from the name of the first
119 lienholder as shown by the records of the department or if the
120 application does not show the name of a judgment lienholder as
121 shown by the records of the department, the certificate may
122 ~~shall~~ not be issued to any person until after all parties who
123 appear to hold a lien and the applicant for the certificate have
124 been notified of the conflict in writing by the department by
125 certified mail. If the parties do not amicably resolve the
126 conflict within 10 days from the date such notice was mailed,
127 ~~then~~ the department must ~~shall~~ serve notice in writing by
128 certified mail on all persons appearing to hold liens on that
129 particular vehicle, including the applicant for the certificate,
130 to show cause within 15 days from the date the notice is mailed
131 why it should not issue and deliver the certificate to the
132 person indicated in the notice of lien filed by the lienholder
133 whose name appears in the application as the first lienholder
134 without showing any lien or liens as outstanding other than
135 those appearing in the application or those which may have been
136 filed subsequent to the filing of the application for the
137 certificate. If, within the 15-day period, any person other than
138 the lienholder shown in the application or a party filing a
139 subsequent lien, in answer to such notice to show cause, appears
140 in person or by a representative, or responds in writing, and
141 files a written statement under oath that his or her lien on
142 that particular vehicle is still outstanding, the department may
143 ~~shall~~ not issue the certificate to anyone until after such
144 conflict has been settled by the lien claimants involved or by a
145 court of competent jurisdiction. If the conflict is not settled

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146 amicably within 10 days of the final date for filing an answer
147 to the notice to show cause, the complaining party must ~~shall~~
148 have 10 days to obtain a ruling, or a stay order, from a court
149 of competent jurisdiction; if no ruling or stay order is issued
150 and served on the department within the 10-day period, it must
151 ~~shall~~ issue the certificate showing no liens except those shown
152 in the application or thereafter filed to the original applicant
153 if there are no liens shown in the application and none are
154 thereafter filed, or to the person indicated in the notice of
155 lien filed by the lienholder whose name appears in the
156 application as the first lienholder if there are liens shown in
157 the application or thereafter filed. A duplicate certificate or
158 corrected certificate may ~~shall~~ only show such lien or liens as
159 were shown in the application and subsequently filed liens that
160 may be outstanding.

161 Section 3. Present subsection (4) of section 319.29,
162 Florida Statutes, is redesignated as subsection (5), and a new
163 subsection (4) is added to that section, to read:

164 319.29 Lost or destroyed certificates.-

165 (4) An application for a duplicate copy of a certificate of
166 title may be fulfilled by the tax collector acting as an
167 authorized agent of the department. Upon the applicant's
168 request, the duplicate copy may be issued by the tax collector
169 and provided to the applicant at the tax collector's office or
170 mailed by the tax collector to the applicant's address.

171 Section 4. Subsection (1) of section 320.031, Florida
172 Statutes, is amended to read:

173 320.031 Mailing of registration certificates, license
174 plates, and validation stickers.-

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175 (1) The department and the tax collectors of the several
176 counties of the state, as agents of the department, may at the
177 request of the applicant deliver in person or use United States
178 mail service to deliver registration certificates and renewals
179 thereof, duplicate registration certificates, license plates,
180 mobile home stickers, and validation stickers to applicants.

181 Section 5. Paragraph (a) of subsection (1) of section
182 320.0848, Florida Statutes, is amended to read:

183 320.0848 Persons who have disabilities; issuance of
184 disabled parking permits; temporary permits; permits for certain
185 providers of transportation services to persons who have
186 disabilities.—

187 (1) (a) The Department of Highway Safety and Motor Vehicles
188 or its authorized agents shall, upon application and receipt of
189 the fee, issue a disabled parking permit for a period of up to 8
190 4 years, which period ends on the applicant's birthday, to any
191 person who has long-term mobility impairment, or a temporary
192 disabled parking permit not to exceed 6 months to any person who
193 has a temporary mobility impairment. A ~~No~~ person may not ~~will~~ be
194 required to pay a fee for a parking permit for disabled persons
195 more than once in a 12-month period from the date of the prior
196 fee payment.

197 Section 6. Subsections (1) and (5) of section 322.02,
198 Florida Statutes, are amended to read:

199 322.02 Legislative intent; administration.—

200 (1) The Legislature finds that over the past several years
201 the department and individual county tax collectors have entered
202 into contracts for the delivery of full and limited driver
203 license services where such contractual relationships best

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204 served the public interest through state administration and
 205 enforcement and local government implementation. It is the
 206 intent of the Legislature that the complete transition of all
 207 driver license issuance services to tax collectors who are
 208 constitutional officers under s. 1(d), Art. VIII of the State
 209 Constitution be completed no later than June 30, 2030 ~~2015~~. ~~The~~
 210 ~~transition of services to appointed charter county tax~~
 211 ~~collectors may occur on a limited basis as directed by the~~
 212 ~~department.~~

213 (5) The tax collector in and for his or her county is ~~may~~
 214 ~~be~~ designated the exclusive agent of the department to implement
 215 and administer ~~the provisions of~~ this chapter as provided by s.
 216 322.135.

217 Section 7. Subsections (3) and (4) of section 322.12,
 218 Florida Statutes, are amended to read:

219 322.12 Examination of applicants.—

220 (3) (a) For an applicant for a Class E driver license, such
 221 examination must ~~shall~~ include all of the following:

222 1. ~~(a)~~ A test of the applicant's eyesight given by the
 223 driver license examiner designated by the department or by a
 224 licensed ophthalmologist, optometrist, or physician.

225 2. ~~(b)~~ A test of the applicant's hearing given by a driver
 226 license examiner or a licensed physician.

227 3. ~~(c)~~ A test of the applicant's ability to read and
 228 understand highway signs regulating, warning, and directing
 229 traffic; his or her knowledge of the traffic laws of this state,
 230 including laws regulating driving under the influence of alcohol
 231 or controlled substances, driving with an unlawful blood-alcohol
 232 level, and driving while intoxicated; and his or her knowledge

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233 of the effects of alcohol and controlled substances upon persons
234 and the dangers of driving a motor vehicle while under the
235 influence of alcohol or controlled substances. At least 25
236 questions within the bank of test questions must address bicycle
237 and pedestrian safety.

238 4.~~(d)~~ An actual demonstration of ability to exercise
239 ordinary and reasonable control in the operation of a motor
240 vehicle.

241 (b) An applicant who is found to have cheated during or
242 otherwise circumvented any portion of the examination must
243 retake the examination, but may not retake the examination for
244 30 days. A person who cheats during or otherwise circumvents the
245 test required under subparagraph (a)3. must pay a \$25 fine, to
246 be deposited into the Highway Safety Operating Trust Fund,
247 before he or she may retake the test. If the test is
248 administered by the tax collector, the tax collector must retain
249 \$15 less the general revenue service charge set forth in s.
250 215.20(1), and the remainder must be deposited into the General
251 Revenue Fund.

252 (4) (a) The examination for an applicant for a commercial
253 driver license must ~~shall~~ include all of the following:

254 1. A test of the applicant's eyesight given by a driver
255 license examiner designated by the department or by a licensed
256 ophthalmologist, optometrist, or physician. ~~and~~

257 2. A test of the applicant's hearing given by a driver
258 license examiner or a licensed physician.

259 3. ~~The examination shall also include~~ A test of the
260 applicant's ability to read and understand highway signs
261 regulating, warning, and directing traffic; his or her knowledge

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262 of the traffic laws of this state pertaining to the class of
263 motor vehicle which he or she is applying to be licensed to
264 operate, including laws regulating driving under the influence
265 of alcohol or controlled substances, driving with an unlawful
266 blood-alcohol level, and driving while intoxicated; his or her
267 knowledge of the effects of alcohol and controlled substances
268 and the dangers of driving a motor vehicle after having consumed
269 alcohol or controlled substances; and his or her knowledge of
270 any special skills, requirements, or precautions necessary for
271 the safe operation of the class of vehicle which he or she is
272 applying to be licensed to operate.

273 4. ~~In addition, the examination shall include~~ An actual
274 demonstration of the applicant's ability to exercise ordinary
275 and reasonable control in the safe operation of a motor vehicle
276 or combination of vehicles of the type covered by the license
277 classification which the applicant is seeking, including an
278 examination of the applicant's ability to perform an inspection
279 of his or her vehicle.

280 (b)(a) The portion of the examination required under
281 subparagraph (a)4. ~~which tests an applicant's safe driving~~
282 ~~ability~~ shall be administered by the department or by an entity
283 authorized by the department to administer such examination,
284 pursuant to s. 322.56. Such examination shall be administered at
285 a location approved by the department.

286 (c)(b) A person who seeks to retain a hazardous-materials
287 endorsement must, upon renewal, pass the test for such
288 endorsement as specified in s. 322.57(1)(e), if the person has
289 not taken and passed the hazardous-materials test within 2 years
290 preceding his or her application for a commercial driver license

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291 in this state.

292 (d) An applicant who is found to have cheated during or
293 otherwise circumvented any portion of the examination must
294 retake the examination, but may not retake the examination for
295 90 days. A person who cheats during or otherwise circumvents the
296 test required under subparagraph (a)3. must pay a \$100 fine, to
297 be deposited into the Highway Safety Operating Trust Fund,
298 before he or she may retake the test. If the test is
299 administered by the tax collector, the tax collector must retain
300 \$28 less the general revenue service charge set forth in s.
301 215.20(1), and the remainder must be deposited into the General
302 Revenue Fund.

303 Section 8. Paragraph (a) of subsection (1) of section
304 322.135, Florida Statutes, is amended, and paragraph (d) is
305 added to that subsection, to read:

306 322.135 Driver license agents.—

307 (1) The department shall, upon application, authorize by
308 interagency agreement any or all of the tax collectors who are
309 constitutional officers under s. 1(d), Art. VIII of the State
310 Constitution in the several counties of the state, subject to
311 the requirements of law, in accordance with rules of the
312 department, to serve as its agent for the provision of specified
313 driver license services.

314 (a) These services shall be limited to the issuance of
315 driver licenses and identification cards as authorized by this
316 chapter, transactions for which may be processed by the tax
317 collector using the department's online license and registration
318 portal.

319 (d) A tax collector may offer a licensee or prospective

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320 licensee the option to increase the amount of his or her
321 transaction to the next whole dollar amount in order to donate
322 the amount of the increase to a charity registered with the
323 Department of Agriculture and Consumer Services.

324 Section 9. Subsection (4) of section 322.251, Florida
325 Statutes, is amended to read:

326 322.251 Notice of cancellation, suspension, revocation, or
327 disqualification of license.—

328 (4) A person whose privilege to operate a commercial motor
329 vehicle is temporarily disqualified may, upon surrendering his
330 or her commercial driver license, be issued a Class E driver
331 license, valid for the length of his or her unexpired commercial
332 driver license, if eligible, at no cost. Such person may, upon
333 the completion of his or her disqualification, be issued a
334 commercial driver license, of the type disqualified, for the
335 remainder of his or her unexpired license period. Any such
336 person must ~~shall~~ pay the reinstatement fee provided in s.
337 322.21 before being issued a commercial driver license.

338 Section 10. Paragraph (b) of subsection (1) of section
339 322.271, Florida Statutes, is amended to read:

340 322.271 Authority to modify revocation, cancellation, or
341 suspension order.—

342 (1)

343 (b) A person whose driving privilege has been revoked under
344 s. 322.27(5) based solely on convictions for nonmoving
345 violations may, upon expiration of 12 months from the date of
346 such revocation, petition the department for reinstatement of
347 his or her driving privilege. Upon such petition and after
348 investigation of the person's qualification, fitness, and need

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349 to drive, the department shall hold a hearing pursuant to
350 chapter 120 to determine whether the driving privilege shall be
351 reinstated on a restricted basis solely for business or
352 employment purposes. If such person is granted a limited driving
353 privilege and subsequently violates the conditions of the
354 restricted driving privilege, the restricted driving privilege
355 must be revoked and the person is not eligible for any driving
356 privilege for the remaining duration of the 5-year period after
357 his or her initial license revocation.

358 Section 11. Subsection (2) of section 322.29, Florida
359 Statutes, is amended to read:

360 322.29 Surrender and return of license.—

361 (2) Notwithstanding subsection (1), an examination is not
362 required for the return of a license suspended under s. 318.15
363 or s. 322.245 unless an examination is otherwise required by
364 this chapter. A person applying for the return of a license
365 suspended under s. 318.15 or s. 322.245 must present to the
366 department certification from the court that he or she has
367 complied with all obligations and penalties imposed pursuant to
368 s. 318.15 or, in the case of a suspension pursuant to s.
369 322.245, that he or she has complied with all directives of the
370 court and the requirements of s. 322.245 and shall pay to the
371 department a nonrefundable service fee of \$60, of which \$37.50
372 shall be deposited into the General Revenue Fund and \$22.50
373 shall be deposited into the Highway Safety Operating Trust Fund.
374 If reinstated by the clerk of the court or tax collector, \$37.50
375 shall be retained and \$22.50 shall be remitted to the Department
376 of Revenue for deposit into the Highway Safety Operating Trust
377 Fund. ~~However, the service fee is not required if the person is~~

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378 ~~required to pay a \$45 fee or \$75 fee under s. 322.21(8).~~

379 Section 12. Section 322.66, Florida Statutes, is amended to
380 read:

381 322.66 Vehicles permitted to be driven during driving
382 skills tests.—A person who does not possess a valid driver
383 license may drive a noncommercial or commercial motor vehicle
384 during a driving skills test conducted in accordance with s.
385 322.12(3) and (4)(b) ~~s. 322.12(3) and (4)(a)~~, if the person has
386 passed the vision, hearing, road rules, and road signs tests
387 ordinarily administered to applicants for a Class E license,
388 and, if required, has passed the commercial driver license
389 knowledge and appropriate endorsement tests.

390 Section 13. This act shall take effect July 1, 2025.