

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; providing
13 requirements for the issuance of certain certificates
14 of title; amending s. 320.031, F.S.; authorizing the
15 department and tax collectors to deliver certain
16 documents, including duplicate registration
17 certificates, in person or by mail; amending s.
18 320.0848, F.S.; revising the time period for which a
19 disabled parking permit is valid; amending s. 322.02,
20 F.S.; revising the year by which the Legislature
21 intends that the transition of certain services to
22 certain tax collectors be complete; deleting a
23 provision authorizing such transition of services to
24 appointed charter county tax collectors on a limited
25 basis; providing that the tax collector is, rather

26 | than may be, designated the exclusive agent of the
27 | department for a specified purpose; amending s.
28 | 322.12, F.S.; requiring certain driver license
29 | applicants to retake certain examinations; prohibiting
30 | such applicants from retaking the examination for a
31 | specified period; requiring that certain driver
32 | license applicants pay a specified fine; providing
33 | requirements for funds collected through such fines;
34 | amending s. 322.135, F.S.; authorizing a tax collector
35 | to process certain transactions using the department's
36 | online license and registration portal; authorizing a
37 | tax collector to offer to a licensee or prospective
38 | licensee a certain donation option; amending s.
39 | 322.251, F.S.; making technical edits; amending s.
40 | 322.271, F.S.; authorizing certain persons whose
41 | driving privileges have been revoked based solely on
42 | certain convictions to petition the department for
43 | reinstatement of driving privileges; requiring the
44 | revocation of a restricted driving privilege for a
45 | specified period in certain circumstances; amending s.
46 | 322.29, F.S.; deleting a provision providing that a
47 | certain service fee is not required under certain
48 | circumstances; amending s. 322.66, F.S.; conforming a
49 | cross-reference; providing 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
 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
 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
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
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
166 of 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 or delivery of registration certificates,
174 duplicate registration certificates, license plates, and
175 validation stickers.—

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

182 **Section 5. Paragraph (a) of subsection (1) of section**
 183 **320.0848, Florida Statutes, is amended to read:**

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

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

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

200 322.02 Legislative intent; administration.—

201 (1) The Legislature finds that over the past several years
202 the department and individual county tax collectors have entered
203 into contracts for the delivery of full and limited driver
204 license services where such contractual relationships best
205 served the public interest through state administration and
206 enforcement and local government implementation. It is the
207 intent of the Legislature that the complete transition of all
208 driver license issuance services to tax collectors who are
209 constitutional officers under s. 1(d), Art. VIII of the State
210 Constitution be completed no later than June 30, 2030 ~~2015~~. ~~The~~
211 ~~transition of services to appointed charter county tax~~
212 ~~collectors may occur on a limited basis as directed by the~~
213 ~~department.~~

214 (5) The tax collector in and for his or her county is ~~may~~
215 ~~be~~ designated the exclusive agent of the department to implement
216 and administer ~~the provisions of~~ this chapter as provided by s.
217 322.135.

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

220 322.12 Examination of applicants.—

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

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

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

228 ~~3.(c)~~ A test of the applicant's ability to read and
229 understand highway signs regulating, warning, and directing
230 traffic; his or her knowledge of the traffic laws of this state,
231 including laws regulating driving under the influence of alcohol
232 or controlled substances, driving with an unlawful blood-alcohol
233 level, and driving while intoxicated; and his or her knowledge
234 of the effects of alcohol and controlled substances upon persons
235 and the dangers of driving a motor vehicle while under the
236 influence of alcohol or controlled substances. At least 25
237 questions within the bank of test questions must address bicycle
238 and pedestrian safety.

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

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

251 215.20(1), and the remainder must be deposited into the General
252 Revenue Fund.

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

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

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

260 3. ~~The examination shall also include~~ A test of the
261 applicant's ability to read and understand highway signs
262 regulating, warning, and directing traffic; his or her knowledge
263 of the traffic laws of this state pertaining to the class of
264 motor vehicle which he or she is applying to be licensed to
265 operate, including laws regulating driving under the influence
266 of alcohol or controlled substances, driving with an unlawful
267 blood-alcohol level, and driving while intoxicated; his or her
268 knowledge of the effects of alcohol and controlled substances
269 and the dangers of driving a motor vehicle after having consumed
270 alcohol or controlled substances; and his or her knowledge of
271 any special skills, requirements, or precautions necessary for
272 the safe operation of the class of vehicle which he or she is
273 applying to be licensed to operate.

274 4. ~~In addition, the examination shall include~~ An actual
275 demonstration of the applicant's ability to exercise ordinary

276 and reasonable control in the safe operation of a motor vehicle
277 or combination of vehicles of the type covered by the license
278 classification which the applicant is seeking, including an
279 examination of the applicant's ability to perform an inspection
280 of his or her vehicle.

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

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

293 (d) An applicant who is found to have cheated during or
294 otherwise circumvented any portion of the examination must
295 retake the examination, but may not retake the examination for
296 90 days. A person who cheats during or otherwise circumvents the
297 test required under subparagraph (a)3. must pay a \$100 fine, to
298 be deposited into the Highway Safety Operating Trust Fund,
299 before he or she may retake the test. If the test is
300 administered by the tax collector, the tax collector must retain

301 \$28 less the general revenue service charge set forth in s.
302 215.20(1), and the remainder must be deposited into the General
303 Revenue Fund.

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

307 322.135 Driver license agents.—

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

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

320 (d) A tax collector may offer a licensee or prospective
321 licensee the option to increase the amount of his or her
322 transaction to the next whole dollar amount in order to donate
323 the amount of the increase to a charity registered with the
324 Department of Agriculture and Consumer Services.

325 **Section 9. Subsection (4) of section 322.251, Florida**

326 **Statutes, is amended to read:**

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

329 (4) A person whose privilege to operate a commercial motor
330 vehicle is temporarily disqualified may, upon surrendering his
331 or her commercial driver license, be issued a Class E driver
332 license, if eligible, valid for the length of his or her
333 unexpired commercial driver license, at no cost. Such person
334 may, upon the completion of his or her disqualification, be
335 issued a commercial driver license, of the type disqualified,
336 for the remainder of his or her unexpired license period. Any
337 such person must ~~shall~~ pay the reinstatement fee provided in s.
338 322.21 before being issued a commercial driver license.

339 **Section 10. Paragraph (b) of subsection (1) of section**
340 **322.271, Florida Statutes, is amended to read:**

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

343 (1)

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

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

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

361 322.29 Surrender and return of license.—

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

376 shall be retained and \$22.50 shall be remitted to the Department
377 of Revenue for deposit into the Highway Safety Operating Trust
378 Fund. ~~However, the service fee is not required if the person is~~
379 ~~required to pay a \$45 fee or \$75 fee under s. 322.21(8).~~

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

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

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