

1 A bill to be entitled
2 An act relating to the Department of Highway Safety
3 and Motor Vehicles; creating s. 316.88, F.S.;
4 prohibiting the sale of certain service appointments
5 unless authorized in writing by specified entities;
6 amending s. 319.24, F.S.; authorizing tax collectors
7 to deliver by mail or make available at the tax
8 collector's office certificates of title; amending s.
9 319.29, F.S.; providing that certain applications may
10 be fulfilled by the tax collector acting as an
11 authorized agent of the department; amending s.
12 320.031, F.S.; authorizing the department and tax
13 collectors, as agents of the department, to deliver
14 certain documents, including duplicate registration
15 certificates, in person or by mail; amending s.
16 320.0848, F.S.; requiring the department to renew
17 certain disabled parking permits for a specified
18 period without requiring certain documentation;
19 amending s. 322.02, F.S.; revising the year by which
20 the Legislature intends that the transition of certain
21 services to certain tax collectors be completed;
22 removing a provision authorizing such transition of
23 services to appointed charter county tax collectors on
24 a limited basis; providing that the tax collector is,
25 rather than may be, designated the exclusive agent of

the department for a specified purpose; amending s. 322.12, F.S.; requiring certain driver license applicants to retake certain examinations; amending s. 322.135, F.S.; authorizing a tax collector to process certain transactions using the department's online license and registration portal; authorizing a tax collector to offer to a licensee or prospective licensee a certain donation option; removing a provision concerning driver license issuance being assumed by tax collectors by a certain date; amending s. 322.251, F.S.; authorizing the issuance of a Class E driver license to certain persons, if eligible; amending s. 322.271, F.S.; requiring the revocation of a restricted driving privilege for a specified period in certain circumstances; amending s. 322.66, F.S.; conforming a cross-reference; providing an effective date.

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

Section 1. Section 316.88, Florida Statutes, is created to read:

316.88 Sale of appointments prohibited.—Unless authorized in writing by the department or a tax collector acting as an authorized agent of the department, a person may not sell, or

offer to sell, a service appointment with a department office,
or the office of a tax collector acting as an authorized agent
of the department, for any service authorized by chapter 319,
chapter 320, chapter 322, or chapter 328. A person who violates
this section commits a misdemeanor of the first degree,
punishable as provided in s. 775.082 or s. 775.083.

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

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

(2) A duly authorized person shall 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 department or as
shown in the application, must ~~shall~~ deliver the certificate to
the applicant or to another person as directed by the applicant
or person, agent, or attorney submitting such application. Tax
collectors, as authorized agents of the department, may deliver
original certificates of title and corrected certificates by
mail or make such certificates available to applicants at tax
collectors' offices. The motor vehicle dealer license number
must be submitted to the department when a dealer applies for or
receives a duplicate title. The current odometer reading must be
submitted on an application for a duplicate title. If there are
one or more liens or encumbrances on the motor vehicle or mobile

76 | home, the certificate must ~~shall~~ be delivered by the department
77 | to the first lienholder as shown by department records or to the
78 | owner as indicated in the notice of lien filed by the first
79 | lienholder pursuant to s. 319.27. If the notice of lien filed by
80 | the first lienholder indicates that the certificate should be
81 | delivered to the first lienholder, the department must ~~shall~~
82 | deliver to the first lienholder, along with the certificate, a
83 | form to be subsequently used by the lienholder as a
84 | satisfaction. If the notice of lien filed by the first
85 | lienholder directs the certificate of title to be delivered to
86 | the owner, then, upon delivery of the certificate of title by
87 | the department to the owner, the department must ~~shall~~ deliver
88 | to the first lienholder confirmation of the receipt of the
89 | notice of lien and the date the certificate of title was issued
90 | to the owner at the owner's address shown on the notice of lien
91 | and a form to be subsequently used by the lienholder as a
92 | satisfaction. If the application for certificate shows the name
93 | of a first lienholder different from the name of the first
94 | lienholder as shown by the records of the department or if the
95 | application does not show the name of a judgment lienholder as
96 | shown by the records of the department, the certificate may
97 | ~~shall~~ not be issued to any person until after all parties who
98 | appear to hold a lien and the applicant for the certificate have
99 | been notified of the conflict in writing by the department by
100 | certified mail. If the parties do not amicably resolve the

101 conflict within 10 days from the date such notice was mailed,
102 ~~then~~ the department must ~~shall~~ serve notice in writing by
103 certified mail on all persons appearing to hold liens on that
104 particular vehicle, including the applicant for the certificate,
105 to show cause within 15 days from the date the notice is mailed
106 why it should not issue and deliver the certificate to the
107 person indicated in the notice of lien filed by the lienholder
108 whose name appears in the application as the first lienholder
109 without showing any lien or liens as outstanding other than
110 those appearing in the application or those which may have been
111 filed subsequent to the filing of the application for the
112 certificate. If, within the 15-day period, any person other than
113 the lienholder shown in the application or a party filing a
114 subsequent lien, in answer to such notice to show cause, appears
115 in person or by a representative, or responds in writing, and
116 files a written statement under oath that his or her lien on
117 that particular vehicle is still outstanding, the department may
118 ~~shall~~ not issue the certificate to anyone until after such
119 conflict has been settled by the lien claimants involved or by a
120 court of competent jurisdiction. If the conflict is not settled
121 amicably within 10 days of the final date for filing an answer
122 to the notice to show cause, the complaining party must ~~shall~~
123 have 10 days to obtain a ruling, or a stay order, from a court
124 of competent jurisdiction; if no ruling or stay order is issued
125 and served on the department within the 10-day period, it must

126 ~~shall~~ issue the certificate showing no liens except those shown
127 in the application or thereafter filed to the original applicant
128 if there are no liens shown in the application and none are
129 thereafter filed, or to the person indicated in the notice of
130 lien filed by the lienholder whose name appears in the
131 application as the first lienholder if there are liens shown in
132 the application or thereafter filed. A duplicate certificate or
133 corrected certificate may ~~shall~~ only show such lien or liens as
134 were shown in the application and subsequently filed liens that
135 may be outstanding.

136 **Section 3. Present subsection (4) of section 319.29,**
137 **Florida Statutes, is redesignated as subsection (5), and a new**
138 **subsection (4) is added to that section, to read:**

139 319.29 Lost or destroyed certificates.—

140 (4) An application for a duplicate copy of a certificate
141 of title may be fulfilled by the tax collector acting as an
142 authorized agent of the department. Upon the applicant's
143 request, the duplicate copy may be issued by the tax collector
144 and provided to the applicant at the tax collector's office or
145 mailed by the tax collector to the applicant's address.

146 **Section 4. Subsection (1) of section 320.031, Florida**
147 **Statutes, is amended to read:**

148 320.031 Mailing or delivery of registration certificates,
149 license plates, and validation stickers.—

150 (1) The department and the tax collectors of the several

counties of the state, as agents of the department, may at the request of the applicant deliver in person or use United States mail service to deliver registration certificates and renewals thereof, duplicate registration certificates, license plates, mobile home stickers, and validation stickers to applicants.

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

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

(1)

(d) The department shall renew the disabled parking permit of a ~~any~~ person certified as permanently disabled on the previous application for a subsequent 4-year period without requiring the person to provide another certificate of disability or United States Department of Veterans Affairs Form Letter 27-333, or its equivalent, as applicable. After such 4-year period, the department shall renew the disabled parking permit if the person provides a certificate of disability issued within the last 12 months pursuant to this subsection. A veteran who has been previously evaluated and certified by the United States Department of Veterans Affairs or any branch of the United States Armed Forces as permanently and totally disabled from a service-connected disability may provide a United States

Department of Veterans Affairs Form Letter 27-333, or its equivalent, issued within the last 12 months in lieu of a certificate of disability.

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

322.02 Legislative intent; administration.—

(1) The Legislature finds that over the past several years the department and individual county tax collectors have entered into contracts for the delivery of full and limited driver license services where such contractual relationships best served the public interest through state administration and enforcement and local government implementation. 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, 2027 ~~2015~~. ~~The transition of services to appointed charter county tax collectors may occur on a limited basis as directed by the department.~~

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

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

322.12 Examination of applicants.—

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

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

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

3. ~~(c)~~ 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. At least 25 questions within the bank of test questions must address bicycle and pedestrian safety.

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

(b) An applicant who is found to have cheated during, or to have otherwise circumvented, any portion of the examination must retake the examination.

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

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

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

233 3. ~~The examination shall also include~~ A test of the
234 applicant's ability to read and understand highway signs
235 regulating, warning, and directing traffic; his or her knowledge
236 of the traffic laws of this state pertaining to the class of
237 motor vehicle which he or she is applying to be licensed to
238 operate, including laws regulating driving under the influence
239 of alcohol or controlled substances, driving with an unlawful
240 blood-alcohol level, and driving while intoxicated; his or her
241 knowledge of the effects of alcohol and controlled substances
242 and the dangers of driving a motor vehicle after having consumed
243 alcohol or controlled substances; and his or her knowledge of
244 any special skills, requirements, or precautions necessary for
245 the safe operation of the class of vehicle which he or she is
246 applying to be licensed to operate.

247 4. ~~In addition, the examination shall include~~ An actual
248 demonstration of the applicant's ability to exercise ordinary
249 and reasonable control in the safe operation of a motor vehicle
250 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.

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

(c)-(b) 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), if the person has not taken and passed the hazardous-materials test within 2 years preceding his or her application for a commercial driver license in this state.

(d) An applicant who is found to have cheated during, or to have otherwise circumvented, any portion of the examination must retake the examination.

Section 8. Subsections (6) and (7) of section 322.135, Florida Statutes, are renumbered as subsections (5) and (6), respectively, paragraph (a) of subsection (1) and present subsection (5) are amended, and paragraph (d) is added to subsection (1) of that section, to read:

322.135 Driver license agents.—

(1) The department shall, upon application, authorize by

interagency agreement any or all of the tax collectors who are constitutional officers under s. 1(d), Art. VIII of the State Constitution in the several counties of the state, subject to the requirements of law, in accordance with rules of the department, to serve as its agent for the provision of specified driver license services.

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

(d) A tax collector may 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.

~~(5) All driver license issuance services shall be assumed by the tax collectors who are constitutional officers under s. 1(d), Art. VIII of the State Constitution by June 30, 2015. The implementation shall follow the schedule outlined in the transition report of February 1, 2011, which was required pursuant to chapter 2010-163, Laws of Florida.~~

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

322.251 Notice of cancellation, suspension, revocation, or

disqualification of license.—

(4) 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 driver license, if eligible, at no cost. 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. Any such person must ~~shall~~ pay the reinstatement fee provided in s. 322.21 before being issued a commercial driver license.

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

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

(1)

(b) A person whose driving privilege has been revoked under s. 322.27(5) may, upon expiration of 12 months from the date of such revocation, petition the department for reinstatement of his or her driving privilege. Upon such petition and after investigation of the person's qualification, fitness, and need to drive, the department shall hold a hearing pursuant to chapter 120 to determine whether the driving privilege shall be reinstated on a restricted basis solely for business or employment purposes. If such person is granted a

326 limited driving privilege and subsequently violates the
327 conditions of the restricted driving privilege, the restricted
328 driving privilege must be revoked and the person is not eligible
329 for any driving privilege for the remaining duration of the 5-
330 year period after his or her initial license revocation.

331 **Section 11. Section 322.66, Florida Statutes, is amended**
332 **to read:**

333 322.66 Vehicles permitted to be driven during driving
334 skills tests.—A person who does not possess a valid driver
335 license may drive a noncommercial or commercial motor vehicle
336 during a driving skills test conducted in accordance with s.
337 322.12(3) and (4)(b) ~~s. 322.12(3) and (4)(a)~~, if the person has
338 passed the vision, hearing, road rules, and road signs tests
339 ordinarily administered to applicants for a Class E license,
340 and, if required, has passed the commercial driver license
341 knowledge and appropriate endorsement tests.

342 **Section 12.** This act shall take effect July 1, 2026.