

26 and regulations to which owners and drivers of certain
27 commercial motor vehicles are subject; amending s.
28 319.14, F.S.; requiring a certificate of title for a
29 flood vehicle to specify the type of water that caused
30 damage to the vehicle; revising the definition of the
31 term "flood vehicle"; amending s. 319.23, F.S.; making
32 a technical change; amending s. 319.28, F.S.;
33 providing that a certain affidavit constitutes proof
34 of ownership and right of possession to a motor
35 vehicle or mobile home the previous owner of which
36 died testate; amending s. 319.29, F.S.; prohibiting
37 the department or a tax collector from charging a fee
38 for reissuance of certain certificates of title;
39 amending s. 319.30, F.S.; revising and providing
40 definitions; revising provisions relating to obtaining
41 a salvage certificate of title or certificate of
42 destruction; exempting the department from liability
43 to certain persons as a result of the issuance of such
44 certificate; providing requirements for an independent
45 entity's release of a damaged or dismantled vessel to
46 the owner; authorizing the independent entity to apply
47 for certain certificates for an unclaimed vessel;
48 providing requirements for such application;
49 specifying provisions to which the independent entity
50 is subject; prohibiting the independent entity from

51 charging vessel storage fees; amending s. 320.06,
52 F.S.; authorizing permanent registration of certain
53 rental trucks; authorizing the department to deem a
54 license plate with reduced dimensions to be necessary
55 to accommodate trailers; amending s. 320.0605, F.S.;
56 authorizing a uniform paper or electronic format of
57 the registration certificate for a motor vehicle;
58 specifying that presenting an electronic registration
59 certificate to a law enforcement officer or agent does
60 not constitute consent for the officer or agent to
61 access certain information; making technical changes;
62 amending s. 320.08056, F.S.; deleting plate
63 registration requirements for out-of-state college or
64 university license plates; providing that a certain
65 discontinuation requirement for specialty license
66 plates does not apply to collegiate license plates;
67 amending s. 320.08058, F.S.; providing that collegiate
68 license plates are not subject to specified presale
69 requirements for specialty license plates; authorizing
70 the department to reauthorize previously discontinued
71 collegiate license plates under certain circumstances;
72 revising the distribution and use of fees collected
73 from the sale of the Protect Florida Springs license
74 plate; revising the words appearing on the American
75 Eagle license plate; amending s. 320.084, F.S.;

76 | authorizing certain disabled veterans to be issued a
77 | military license plate or specialty license plate in
78 | lieu of a "DV" license plate; specifying applicable
79 | fees; specifying nonapplicability of certain
80 | provisions; amending s. 322.01, F.S.; revising and
81 | providing definitions; amending s. 322.02, F.S.;
82 | charging the department with enforcement and
83 | administration of certain federal provisions; amending
84 | s. 322.05, F.S.; prohibiting the department from
85 | issuing a commercial motor vehicle operator license to
86 | certain persons; amending s. 322.07, F.S.; revising
87 | requirements for issuance of a temporary commercial
88 | instruction permit; amending s. 322.141, F.S.;
89 | requiring certain information on the driver license or
90 | identification card of a sexual offender or sexual
91 | predator to be printed in red; amending s. 322.142,
92 | F.S.; authorizing the department to issue
93 | reproductions of certain files and records to certain
94 | criminal justice or driver licensing agencies for
95 | certain purposes; amending s. 322.21, F.S.;
96 | authorizing reinstatement of a commercial driver
97 | license after a downgrade of the person's privilege to
98 | operate a commercial motor vehicle under certain
99 | circumstances; creating s. 322.591, F.S.; requiring
100 | the department to obtain a driver's record from the

101 Commercial Driver's License Drug and Alcohol
102 Clearinghouse under certain circumstances; prohibiting
103 the department from issuing, renewing, transferring,
104 or revising the types of authorized vehicles or the
105 endorsements of certain commercial driver licenses or
106 commercial instruction permits if the department
107 receives a certain notification; requiring the
108 department to downgrade a commercial driver license or
109 commercial instruction permit within a specified
110 timeframe if the department receives a certain
111 notification; requiring the department to notify
112 certain drivers of their prohibition from operating a
113 commercial motor vehicle and, upon request, afford
114 them an opportunity for an informal hearing; providing
115 requirements for such notice and hearing; requiring
116 the department to enter a final order to downgrade a
117 commercial driver license or commercial instruction
118 permit under certain circumstances; specifying that a
119 request for a hearing tolls certain deadlines;
120 specifying that certain notifications received by the
121 department must be in the record for consideration and
122 are self-authenticating; specifying that the basis for
123 the notification and the information in the Commercial
124 Driver's License Drug and Alcohol Clearinghouse are
125 not subject to challenge; requiring the department to

126 | dismiss the downgrade of a commercial driver license
127 | or instruction permit under certain circumstances;
128 | requiring the department to record in the driver's
129 | record that he or she is disqualified from operating a
130 | commercial motor vehicle under certain circumstances;
131 | specifying that certain actions are not stayed during
132 | the pendency of certain proceedings; requiring the
133 | department to reinstate a commercial driver license or
134 | commercial instruction permit under certain
135 | circumstances; exempting the department from liability
136 | for certain commercial driver license or commercial
137 | instruction permit downgrades; designating the
138 | exclusive procedure for the downgrade of commercial
139 | driver licenses or commercial instruction permits;
140 | providing construction and applicability; authorizing
141 | the department to issue at no cost a specified driver
142 | license to certain persons prohibited from operating a
143 | commercial motor vehicle; amending ss. 322.34 and
144 | 322.61, F.S.; conforming cross-references; amending s.
145 | 324.021, F.S.; defining the terms "control" and "motor
146 | vehicle dealer's leasing or rental affiliate";
147 | amending ss. 324.0221, 324.131, 627.311, and 627.351,
148 | F.S.; conforming provisions to changes made by the
149 | act; amending s. 627.7275, F.S.; removing provisions
150 | relating to noncancelable motor vehicle insurance;

151 providing effective dates.

152

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

154

155 Section 1. Paragraph (a) of subsection (1) of section
 156 207.004, Florida Statutes, is amended to read:

157 207.004 Registration of motor carriers; identifying
 158 devices; fees; renewals; temporary fuel-use permits and
 159 driveaway permits.—

160 (1)(a) A ~~No~~ motor carrier may not ~~shall~~ operate or cause
 161 to be operated in this state any commercial motor vehicle, other
 162 than a Florida-based commercial motor vehicle that travels
 163 Florida intrastate mileage only, that uses diesel fuel or motor
 164 fuel until such carrier has registered with the department or
 165 has registered under a cooperative reciprocal agreement as
 166 described in s. 207.0281, after such time as this state enters
 167 into such agreement, and has been issued an identifying device
 168 or such carrier has been issued a permit as authorized under
 169 subsections (4) and (5) for each vehicle operated. The fee for
 170 each such identifying device issued is ~~There shall be a fee of~~
 171 ~~\$4 per year or any fraction thereof for each such identifying~~
 172 ~~device issued.~~ The identifying device must ~~shall~~ be provided by
 173 the department and must be conspicuously displayed on the
 174 commercial motor vehicle as prescribed by the department while
 175 it is being operated on the public highways of this state. The

176 transfer of an identifying device from one vehicle to another
177 vehicle or from one motor carrier to another motor carrier is
178 prohibited. The department or its authorized agent shall issue
179 licenses and fuel tax decals.

180 Section 2. The Legislature finds that a proper and
181 legitimate purpose is served when crash reports required under
182 s. 316.066, Florida Statutes, are filed electronically with the
183 Department of Highway Safety and Motor Vehicles by all entities
184 required to submit crash reports. Electronic filing will
185 expedite the availability of crash reports to the persons
186 authorized to receive them, simplify the process of making crash
187 reports available, and expedite the availability of information
188 derived from crash reports to improve highway safety. The
189 requirement of this act that all law enforcement agencies that
190 prepare crash reports submit the completed crash reports
191 electronically to the Department of Highway Safety and Motor
192 Vehicles applies to all similarly situated persons, including
193 school district law enforcement agencies, state university law
194 enforcement agencies, and state law enforcement agencies.
195 Therefore, the Legislature determines and declares that the
196 amendments made by this act to s. 316.066, Florida Statutes,
197 fulfill an important state interest.

198 Section 3. Effective July 1, 2025, paragraph (a) of
199 subsection (1) and paragraph (b) of subsection (2) of section
200 316.066, Florida Statutes, are amended to read:

201 316.066 Written reports of crashes; electronic
 202 submission.—
 203 (1) (a) All traffic law enforcement agencies must provide
 204 uniform crash reports by electronic means to the department
 205 using a nonproprietary, interchangeable electronic form and
 206 reporting method. For purposes of this section, the term
 207 "nonproprietary" means commonly used and commercially available
 208 report formats and reporting methods. Such crash reports must be
 209 consistent with the state traffic crash manual rules and the
 210 procedures established by the department and must be
 211 appropriately numbered and inventoried. A Florida Traffic Crash
 212 Report, Long Form must be completed and electronically submitted
 213 to the department within 10 days after an investigation is
 214 completed by the law enforcement officer who in the regular
 215 course of duty investigates a motor vehicle crash that:
 216 1. Resulted in death of, personal injury to, or any
 217 indication of complaints of pain or discomfort by any of the
 218 parties or passengers involved in the crash;
 219 2. Involved a violation of s. 316.061(1) or s. 316.193;
 220 3. Rendered a vehicle inoperable to a degree that required
 221 a wrecker to remove it from the scene of the crash; or
 222 4. Involved a commercial motor vehicle.
 223 (2)
 224 (b) Crash reports held by an agency under paragraph (a)
 225 may be made immediately available to the parties involved in the

226 crash, their legal representatives, their licensed insurance
227 agents, their insurers or insurers to which they have applied
228 for coverage, persons under contract with such insurers to
229 provide claims or underwriting information, law enforcement
230 agencies and their contracted service providers, victim services
231 programs, and any federal, state, or local governmental agency
232 or any private person or entity acting on behalf of a federal,
233 state, or local governmental agency in carrying out its
234 functions, but not for redistribution to any person or entity
235 not listed in this subsection. Crash reports held by an agency
236 under paragraph (a) which do not contain the home or employment
237 street addresses, driver license or identification card numbers,
238 dates of birth, and home and employment telephone numbers of the
239 parties involved in the crash shall be made immediately
240 available to radio and television stations licensed by the
241 Federal Communications Commission and newspapers qualified to
242 publish legal notices under ss. 50.011 and 50.031. A crash
243 report may also be made available to any third party acting on
244 behalf of a person or entity authorized under this section to
245 access the crash report, except that the third party may
246 disclose the crash report only to the person or entity
247 authorized to access the crash report under this section on
248 whose behalf the third party has sought the report. This section
249 shall not prevent an agency, pursuant to a memorandum of
250 understanding, from providing data derived from crash reports to

251 a third party solely for the purpose of identifying vehicles
252 involved in crashes if such data does not reveal the identity,
253 home or employment telephone number or home or employment
254 address, or other personal information of the parties involved
255 in the crash.

256 Section 4. Effective January 1, 2024, subsections (4) and
257 (5) of section 316.081, Florida Statutes, are renumbered as
258 subsections (5) and (6), respectively, a new subsection (4) is
259 added to that section, and present subsection (5) of that
260 section is republished, to read:

261 316.081 Driving on right side of roadway; exceptions.—

262 (4) On a road, street, or highway having two or more lanes
263 allowing movement in the same direction with a posted speed
264 limit of at least 65 miles per hour, a driver may not operate a
265 motor vehicle in the furthestmost left-hand lane, except when
266 overtaking and passing another vehicle, when preparing to exit
267 the road, street, or highway, or when otherwise directed by an
268 official traffic control device. As used in this subsection, the
269 term "furthestmost left-hand lane" means the farthest most left-
270 hand lane, except that, if such left-hand lane is a high-
271 occupancy-vehicle lane as defined in s. 316.0741 or is a
272 designated left-hand turn lane, the furthestmost left-hand lane
273 is the lane immediately to the right of such high-occupancy-
274 vehicle lane or left-hand turn lane. This subsection does not
275 apply to authorized emergency vehicles and vehicles engaged in

276 highway maintenance or construction operations.

277 ~~(6)~~~~(5)~~ A violation of this section is a noncriminal
278 traffic infraction, punishable as a moving violation as provided
279 in chapter 318.

280 Section 5. Paragraph (b) of subsection (1) of section
281 316.2935, Florida Statutes, is amended to read:

282 316.2935 Air pollution control equipment; tampering
283 prohibited; penalty.—

284 (1)

285 (b) At the time of sale, lease, or transfer of title of a
286 motor vehicle, the seller, lessor, or transferor shall certify
287 in writing to the purchaser, lessee, or transferee that the air
288 pollution control equipment of the motor vehicle has not been
289 tampered with by the seller, lessor, or transferor or their
290 agents, employees, or other representatives. A licensed motor
291 vehicle dealer shall also visually observe those air pollution
292 control devices listed by department rule pursuant to subsection
293 (7), and certify that they are in place, and appear properly
294 connected and undamaged. Such certification shall not be deemed
295 or construed as a warranty that the pollution control devices of
296 the subject vehicle are in functional condition, nor does the
297 execution or delivery of this certification create by itself
298 grounds for a cause of action between the parties to this
299 transaction. This paragraph does not apply when the purchaser of
300 the motor vehicle is a lessee purchasing the leased motor

301 vehicle and the licensed motor vehicle dealer is not in
 302 possession of the motor vehicle at the time of sale.

303 Section 6. Paragraphs (a), (b), and (e) of subsection (1),
 304 paragraph (d) of subsection (2), and subsection (9) of section
 305 316.302, Florida Statutes, are amended to read:

306 316.302 Commercial motor vehicles; safety regulations;
 307 transporters and shippers of hazardous materials; enforcement.—

308 (1) (a) All owners and drivers of commercial motor vehicles
 309 that are operated on the public highways of this state while
 310 engaged in interstate commerce are subject to the rules and
 311 regulations contained in 49 C.F.R. parts 382, 383, 384, 385,
 312 386, and 390-397.

313 (b) Except as otherwise provided in this section, all
 314 owners and drivers of commercial motor vehicles that are engaged
 315 in intrastate commerce are subject to the rules and regulations
 316 contained in 49 C.F.R. parts 382, 383, 384, 385, 386, and 390-
 317 397, as such rules and regulations existed on December 31, 2022
 318 2020.

319 ~~(c) A person who operates a commercial motor vehicle~~
 320 ~~solely in intrastate commerce which does not transport hazardous~~
 321 ~~materials in amounts that require placarding pursuant to 49~~
 322 ~~C.F.R. part 172 need not comply with the requirements of~~
 323 ~~electronic logging devices and hours of service supporting~~
 324 ~~documents as provided in 49 C.F.R. parts 385, 386, 390, and 395~~
 325 ~~until December 31, 2019.~~

326 (2)

327 (d) A person who operates a commercial motor vehicle
 328 solely in intrastate commerce not transporting any hazardous
 329 material in amounts that require placarding pursuant to 49
 330 C.F.R. part 172 within a 150 air-mile radius of the location
 331 where the vehicle is based need not comply with 49 C.F.R. ss.
 332 395.8 and 395.11 ~~s. 395.8~~ if the requirements of 49 C.F.R. s.
 333 395.1(e)(1)(iii) and (iv) ~~s. 395.1(e)(1)(ii), (iii)(A) and (C),~~
 334 and ~~(v)~~ are met.

335 (9) For the purpose of enforcing this section, any law
 336 enforcement officer of the Department of Highway Safety and
 337 Motor Vehicles or duly appointed agent who holds a current
 338 safety inspector certification from the Commercial Vehicle
 339 Safety Alliance may require the driver of any commercial vehicle
 340 operated on the highways of this state to stop and submit to an
 341 inspection of the vehicle or the driver's records. If the
 342 vehicle or driver is found to be operating in an unsafe
 343 condition, or if any required part or equipment is not present
 344 or is not in proper repair or adjustment, and the continued
 345 operation would present an unduly hazardous operating condition,
 346 the officer or agent may require the vehicle or the driver to be
 347 removed from service pursuant to the North American Standard
 348 Out-of-Service Criteria, until corrected. However, if continuous
 349 operation would not present an unduly hazardous operating
 350 condition, the officer or agent may give written notice

351 requiring correction of the condition within 15 days.

352 (a) Any member of the Florida Highway Patrol or any law
 353 enforcement officer employed by a sheriff's office or municipal
 354 police department authorized to enforce the traffic laws of this
 355 state pursuant to s. 316.640 who has reason to believe that a
 356 vehicle or driver is operating in an unsafe condition may, as
 357 provided in subsection (11), enforce the provisions of this
 358 section.

359 (b) Any person who fails to comply with a ~~an officer's~~
 360 request to submit to an inspection under this subsection commits
 361 a violation of s. 843.02 if the person resists the officer
 362 without violence or a violation of s. 843.01 if the person
 363 resists the officer with violence.

364 Section 7. Paragraphs (b) and (c) of subsection (1) of
 365 section 319.14, Florida Statutes, are amended to read:

366 319.14 Sale of motor vehicles registered or used as
 367 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,
 368 nonconforming vehicles, custom vehicles, or street rod vehicles;
 369 conversion of low-speed vehicles.—

370 (1)

371 (b) A person may not knowingly offer for sale, sell, or
 372 exchange a rebuilt vehicle until the department has stamped in a
 373 conspicuous place on the certificate of title for the vehicle
 374 words stating that the vehicle has been rebuilt or assembled
 375 from parts, or is a kit car, glider kit, replica, flood vehicle,

376 custom vehicle, or street rod vehicle unless proper application
377 for a certificate of title for a vehicle that is rebuilt or
378 assembled from parts, or is a kit car, glider kit, replica,
379 flood vehicle, custom vehicle, or street rod vehicle has been
380 made to the department in accordance with this chapter and the
381 department has conducted the physical examination of the vehicle
382 to assure the identity of the vehicle and all major component
383 parts, as defined in s. 319.30(1), which have been repaired or
384 replaced. If a vehicle is identified as a flood vehicle, the
385 words stamped on the certificate of title must identify the type
386 of water that caused damage to the vehicle as "salt water,"
387 "fresh water," or "other or unknown water type," as applicable.
388 Thereafter, the department shall affix a decal to the vehicle,
389 in the manner prescribed by the department, showing the vehicle
390 to be rebuilt.

391 (c) As used in this section, the term:

392 9.1. "Police vehicle" means a motor vehicle owned or
393 leased by the state or a county or municipality and used in law
394 enforcement.

395 13.2.a. "Short-term-lease vehicle" means a motor vehicle
396 leased without a driver and under a written agreement to one or
397 more persons from time to time for ~~a period of~~ less than 12
398 months.

399 7.b. "Long-term-lease vehicle" means a motor vehicle
400 leased without a driver and under a written agreement to one

401 person for ~~a period of~~ 12 months or longer.

402 ~~6.e.~~ "Lease vehicle" includes both short-term-lease
403 vehicles and long-term-lease vehicles.

404 ~~10.3.~~ "Rebuilt vehicle" means a motor vehicle or mobile
405 home built from salvage or junk, as defined in s. 319.30(1).

406 ~~1.4.~~ "Assembled from parts" means a motor vehicle or
407 mobile home assembled from parts or combined from parts of motor
408 vehicles or mobile homes, new or used. The term "assembled from
409 parts" does not include ~~mean a motor vehicle defined as a~~
410 ~~"rebuilt vehicle as defined"~~ in subparagraph ~~10. 3.,~~ which has
411 been declared a total loss pursuant to s. 319.30.

412 5. "Kit car" means a motor vehicle assembled with a kit
413 supplied by a manufacturer to rebuild a wrecked or outdated
414 motor vehicle with a new body kit.

415 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit
416 supplied by a manufacturer to rebuild a wrecked or outdated
417 truck or truck tractor.

418 ~~11.7.~~ "Replica" means a complete new motor vehicle
419 manufactured to look like an old vehicle.

420 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home
421 that has been declared to be a total loss pursuant to s.
422 319.30(3) (a) resulting from damage caused by salt water, fresh
423 water, or other or unknown type of water.

424 ~~8.9.~~ "Nonconforming vehicle" means a motor vehicle that
425 ~~which~~ has been purchased by a manufacturer pursuant to a

426 settlement, determination, or decision under chapter 681.

427 ~~12.10.~~ "Settlement" means an agreement entered into
428 between a manufacturer and a consumer which ~~that~~ occurs after a
429 dispute is submitted to a program, or to an informal dispute
430 settlement procedure established by a manufacturer, or is
431 approved for arbitration before the Florida New Motor Vehicle
432 Arbitration Board as defined in s. 681.102.

433 ~~2.11.~~ "Custom vehicle" means a motor vehicle that:

434 a. Is 25 years of age or older and of a model year after
435 1948 or was manufactured to resemble a vehicle that is 25 years
436 of age or older and of a model year after 1948; and

437 b. Has been altered from the manufacturer's original
438 design or has a body constructed from nonoriginal materials.

439

440 The model year and year of manufacture that the body of a custom
441 vehicle resembles is the model year and year of manufacture
442 listed on the certificate of title, regardless of when the
443 vehicle was actually manufactured.

444 ~~14.12.~~ "Street rod" means a motor vehicle that:

445 a. Is of a model year of 1948 or older or was manufactured
446 after 1948 to resemble a vehicle of a model year of 1948 or
447 older; and

448 b. Has been altered from the manufacturer's original
449 design or has a body constructed from nonoriginal materials.

450

451 The model year and year of manufacture that the body of a street
 452 rod resembles is the model year and year of manufacture listed
 453 on the certificate of title, regardless of when the vehicle was
 454 actually manufactured.

455 Section 8. Subsection (3) of section 319.23, Florida
 456 Statutes, is amended to read:

457 319.23 Application for, and issuance of, certificate of
 458 title.—

459 (3) If a certificate of title has not previously been
 460 issued for a motor vehicle or mobile home in this state, the
 461 application, unless otherwise provided for in this chapter,
 462 shall be accompanied by a proper bill of sale or sworn statement
 463 of ownership, or a duly certified copy thereof, or by a
 464 certificate of title, bill of sale, or other evidence of
 465 ownership required by the law of the state or country ~~county~~
 466 from which the motor vehicle or mobile home was brought into
 467 this state. The application shall also be accompanied by:

468 (a)1. A sworn affidavit from the seller and purchaser
 469 verifying that the vehicle identification number shown on the
 470 affidavit is identical to the vehicle identification number
 471 shown on the motor vehicle; or

472 2. An appropriate departmental form evidencing that a
 473 physical examination has been made of the motor vehicle by the
 474 owner and by a duly constituted law enforcement officer in any
 475 state, a licensed motor vehicle dealer, a license inspector as

476 provided by s. 320.58, or a notary public commissioned by this
 477 state and that the vehicle identification number shown on such
 478 form is identical to the vehicle identification number shown on
 479 the motor vehicle; and

480 (b) If the vehicle is a used car original, a sworn
 481 affidavit from the owner verifying that the odometer reading
 482 shown on the affidavit is identical to the odometer reading
 483 shown on the motor vehicle in accordance with the requirements
 484 of 49 C.F.R. s. 580.5 at the time that application for title is
 485 made. For the purposes of this section, the term "used car
 486 original" means a used vehicle coming into and being titled in
 487 this state for the first time.

488 (c) If the vehicle is an ancient or antique vehicle, as
 489 defined in s. 320.086, the application shall be accompanied by a
 490 certificate of title; a bill of sale and a registration; or a
 491 bill of sale and an affidavit by the owner defending the title
 492 from all claims. The bill of sale must contain a complete
 493 vehicle description to include the vehicle identification or
 494 engine number, year make, color, selling price, and signatures
 495 of the seller and purchaser.

496
 497 Verification of the vehicle identification number is not
 498 required for any new motor vehicle; any mobile home; any trailer
 499 or semitrailer with a net weight of less than 2,000 pounds; or
 500 any travel trailer, camping trailer, truck camper, or fifth-

501 wheel recreation trailer.

502 Section 9. Paragraphs (c) and (d) of subsection (1) of
503 section 319.28, Florida Statutes, are redesignated as paragraphs
504 (d) and (e), respectively, and a new paragraph (c) is added to
505 that subsection to read:

506 319.28 Transfer of ownership by operation of law.—

507 (1)

508 (c) If the previous owner died testate and the application
509 for a certificate of title is made by, and accompanied by an
510 affidavit attested by, a Florida-licensed attorney in good
511 standing with The Florida Bar who is representing the previous
512 owner's estate, such affidavit shall, for purposes of paragraph
513 (a), constitute satisfactory proof of ownership and right of
514 possession to the motor vehicle or mobile home, so long as the
515 affidavit sets forth the rightful heir or heirs and the attorney
516 attests in the affidavit that such heir or heirs are lawfully
517 entitled to the rights of ownership and possession of the motor
518 vehicle or mobile home. It shall not be necessary for the
519 application for certificate of title filed under this paragraph
520 to be accompanied by a copy of the will or other testamentary
521 instrument.

522 Section 10. Subsection (3) of section 319.29, Florida
523 Statutes, is amended to read:

524 319.29 Lost or destroyed certificates.—

525 (3) If, following the issuance of an original, duplicate,

526 or corrected certificate of title by the department, the
 527 certificate is lost in transit and is not delivered to the
 528 addressee, the owner of the motor vehicle or mobile home, or the
 529 holder of a lien thereon, may, within 180 days after ~~of~~ the date
 530 of issuance of the title, apply to the department for reissuance
 531 of the certificate of title. An ~~No~~ additional fee shall not be
 532 charged by the department or a tax collector, as agent for the
 533 department, for reissuance under this subsection.

534 Section 11. Paragraphs (g) and (j) of subsection (1),
 535 paragraph (b) of subsection (3), and subsection (9) of section
 536 319.30, Florida Statutes, are amended, and paragraph (y) is
 537 added to subsection (1) of that section, to read:

538 319.30 Definitions; dismantling, destruction, change of
 539 identity of motor vehicle or mobile home; salvage.—

540 (1) As used in this section, the term:

541 (g) "Independent entity" means a business or entity that
 542 may temporarily store damaged or dismantled motor vehicles or
 543 vessels pursuant to an agreement with an insurance company and
 544 is engaged in the sale or resale of damaged or dismantled motor
 545 vehicles or vessels. The term does not include a wrecker
 546 operator, a towing company, or a repair facility.

547 (j) "Major component parts" means:

548 1. For motor vehicles other than motorcycles and electric,
 549 hybrid, or plug-in hybrid motor vehicles, any fender, hood,
 550 bumper, cowl assembly, rear quarter panel, trunk lid, door,

551 decklid, floor pan, engine, frame, transmission, catalytic
552 converter, or airbag.

553 2. For trucks other than electric, hybrid, or plug-in
554 hybrid motor vehicles, in addition to those parts listed in
555 subparagraph 1., any truck bed, including dump, wrecker, crane,
556 mixer, cargo box, or any bed which mounts to a truck frame.

557 3. For motorcycles, the body assembly, frame, fenders, gas
558 tanks, engine, cylinder block, heads, engine case, crank case,
559 transmission, drive train, front fork assembly, and wheels.

560 4. For mobile homes, the frame.

561 5. For electric, hybrid, or plug-in hybrid motor vehicles,
562 any fender, hood, bumper, cowl assembly, rear quarter panel,
563 trunk lid, door, decklid, floor pan, engine, electric traction
564 motor, frame, transmission or electronic transmission, charge
565 port, DC power converter, onboard charger, power electronics
566 controller, thermal system, traction battery pack, catalytic
567 converter, or airbag.

568 (y) "Vessel" has the same meaning as provided in s.
569 713.78(1)(b).

570 (3)

571 (b) The owner, including persons who are self-insured, of
572 a motor vehicle or mobile home that is considered to be salvage
573 shall, within 72 hours after the motor vehicle or mobile home
574 becomes salvage, forward the title to the motor vehicle or
575 mobile home to the department for processing. However, an

576 insurance company that pays money as compensation for the total
 577 loss of a motor vehicle or mobile home shall obtain the
 578 certificate of title for the motor vehicle or mobile home, make
 579 the required notification to the National Motor Vehicle Title
 580 Information System, and, within 72 hours after receiving such
 581 certificate of title, forward such title by the United States
 582 Postal Service, by another commercial delivery service, or by
 583 electronic means, when such means are made available by the
 584 department, to the department for processing. The owner or
 585 insurance company, as applicable, may not dispose of a vehicle
 586 or mobile home that is a total loss before it obtains a salvage
 587 certificate of title or certificate of destruction from the
 588 department. ~~Effective January 1, 2020:~~

589 1. Thirty days after payment of a claim for compensation
 590 pursuant to this paragraph, the insurance company may receive a
 591 salvage certificate of title or certificate of destruction from
 592 the department if the insurance company is unable to obtain a
 593 properly assigned paper or electronic certificate of title from
 594 the owner or lienholder of the motor vehicle or mobile home, ~~if~~
 595 ~~the motor vehicle or mobile home does not carry an electronic~~
 596 ~~lien on the title~~ and the insurance company:

597 a. Has obtained the release of all liens on the motor
 598 vehicle or mobile home, or has paid the amount due to the
 599 lienholder and has obtained proof that the lienholder accepts
 600 payment as satisfying the amount due to the lienholder;

601 b. Has attested on a form provided by the department that
602 payment of the total loss claim has been distributed; and

603 c. Has attested on a form provided by the department and
604 signed by the insurance company or its authorized agent stating
605 the attempts that have been made to obtain the title from the
606 owner or lienholder and further stating that all attempts are to
607 no avail. The form must include a request that the salvage
608 certificate of title or certificate of destruction be issued in
609 the insurance company's name due to payment of a total loss
610 claim to the owner or lienholder. The attempts to contact the
611 owner or lienholder may be by written request delivered in
612 person or by first-class mail with a certificate of mailing to
613 the owner's last known address or lienholder's last known
614 address, respectively.

615 2. If the owner or lienholder is notified of the request
616 for title in person, the insurance company must provide an
617 affidavit attesting to the in-person request for a certificate
618 of title.

619 3. The request to the owner or lienholder for the
620 certificate of title must include a complete description of the
621 motor vehicle or mobile home and the statement that a total loss
622 claim has been paid on the motor vehicle or mobile home.

623
624 The department is not liable and may not be held liable to an
625 owner, lienholder, or any other person as a result of the

626 issuance of a salvage title or a certificate of destruction
627 pursuant to this paragraph.

628 (9) (a) An insurance company may notify an independent
629 entity that obtains possession of a damaged or dismantled motor
630 vehicle or vessel to release the vehicle or vessel to the owner.
631 The insurance company shall provide the independent entity a
632 release statement on a form prescribed by the department
633 authorizing the independent entity to release the vehicle or
634 vessel to the owner or lienholder. The form must, at a minimum,
635 contain the following:

- 636 1. The policy and claim number.
- 637 2. The name and address of the insured.
- 638 3. The vehicle identification number or vessel hull
639 identification number.
- 640 4. The signature of an authorized representative of the
641 insurance company.

642 (b) The independent entity in possession of a motor
643 vehicle or vessel must send a notice to the owner that the
644 vehicle or vessel is available for pickup when it receives a
645 release statement from the insurance company. The notice shall
646 be sent by certified mail or by another commercially available
647 delivery service that provides proof of delivery to the owner at
648 the owner's address contained in the department's records. The
649 notice must state that the owner has 30 days after delivery of
650 the notice to the owner at the owner's address to pick up the

651 vehicle or vessel from the independent entity. If the motor
652 vehicle or vessel is not claimed within 30 days after the
653 delivery or attempted delivery of the notice, the independent
654 entity may apply for a certificate of destruction, a salvage
655 certificate of title, or a certificate of title. For a hull-
656 damaged vessel, the independent entity shall comply with s.
657 328.045 as applicable.

658 (c) If the department's records do not contain the owner's
659 address, the independent entity must do all of the following:

660 1. Send a notice that meets the requirements of paragraph
661 (b) to the owner's address that is provided by the insurance
662 company in the release statement.

663 2. For a vehicle, identify the latest titling jurisdiction
664 of the vehicle through use of the National Motor Vehicle Title
665 Information System or an equivalent commercially available
666 system and attempt to obtain the owner's address from that
667 jurisdiction. If the jurisdiction returns an address that is
668 different from the owner's address provided by the insurance
669 company, the independent entity must send a notice that meets
670 the requirements of paragraph (b) to both addresses.

671 (d) The independent entity shall maintain for at least a
672 ~~minimum of~~ 3 years the records related to the 30-day notice sent
673 to the owner. For vehicles, the independent entity shall also
674 maintain for at least 3 years the results of searches of the
675 National Motor Vehicle Title Information System or an equivalent

676 commercially available system~~7~~ and the notification to the
677 National Motor Vehicle Title Information System made pursuant to
678 paragraph (e).

679 (e) The independent entity shall make the required
680 notification to the National Motor Vehicle Title Information
681 System before releasing any damaged or dismantled motor vehicle
682 to the owner or before applying for a certificate of destruction
683 or salvage certificate of title. The independent entity is not
684 required to notify the National Motor Vehicle Title Information
685 System before releasing any damaged or dismantled vessel to the
686 owner or before applying for a certificate of title.

687 (f) Upon applying for a certificate of destruction, ~~or~~
688 salvage certificate of title, or certificate of title, the
689 independent entity shall provide a copy of the release statement
690 from the insurance company to the independent entity, proof of
691 providing the 30-day notice to the owner, proof of notification
692 to the National Motor Vehicle Title Information System if
693 required, proof of all lien satisfactions or proof of a release
694 of all liens on the motor vehicle or vessel, and applicable
695 fees. If the independent entity is unable to obtain a lien
696 satisfaction or a release of all liens on the motor vehicle or
697 vessel, the independent entity must provide an affidavit stating
698 that notice was sent to all lienholders that the motor vehicle
699 or vessel is available for pickup, 30 days have passed since the
700 notice was delivered or attempted to be delivered pursuant to

701 | this section, attempts have been made to obtain a release from
702 | all lienholders, and all such attempts have been to no avail.
703 | The notice to lienholders and attempts to obtain a release from
704 | lienholders may be by written request delivered in person or by
705 | certified mail or another commercially available delivery
706 | service that provides proof of delivery to the lienholder at the
707 | lienholder's address as provided on the certificate of title and
708 | to the address designated with the Department of State pursuant
709 | to s. 655.0201(2) if such address is different.

710 | (g) The independent entity may not charge an owner of the
711 | vehicle or vessel storage fees or apply for a title under s.
712 | 713.585 or s. 713.78.

713 | Section 12. Paragraph (b) of subsection (1) and paragraph
714 | (a) of subsection (3) of section 320.06, Florida Statutes, are
715 | amended to read:

716 | 320.06 Registration certificates, license plates, and
717 | validation stickers generally.—

718 | (1)

719 | (b)1. Registration license plates bearing a graphic symbol
720 | and the alphanumeric system of identification shall be issued
721 | for a 10-year period. At the end of the 10-year period, upon
722 | renewal, the plate shall be replaced. The department shall
723 | extend the scheduled license plate replacement date from a 6-
724 | year period to a 10-year period. The fee for such replacement is
725 | \$28, \$2.80 of which shall be paid each year before the plate is

726 replaced, to be credited toward the next \$28 replacement fee.
 727 The fees shall be deposited into the Highway Safety Operating
 728 Trust Fund. A credit or refund may not be given for any prior
 729 years' payments of the prorated replacement fee if the plate is
 730 replaced or surrendered before the end of the 10-year period,
 731 except that a credit may be given if a registrant is required by
 732 the department to replace a license plate under s.
 733 320.08056(8) (a). With each license plate, a validation sticker
 734 shall be issued showing the owner's birth month, license plate
 735 number, and the year of expiration or the appropriate renewal
 736 period if the owner is not a natural person. The validation
 737 sticker shall be placed on the upper right corner of the license
 738 plate. The license plate and validation sticker shall be issued
 739 based on the applicant's appropriate renewal period. The
 740 registration period is 12 months, the extended registration
 741 period is 24 months, and all expirations occur based on the
 742 applicant's appropriate registration period. Rental vehicles
 743 taxed pursuant to s. 320.08(6)(a) and rental trucks taxed
 744 pursuant to s. 320.08(3)(a), (b), and (c) and (4)(a)-(d) may
 745 elect a permanent registration period, provided payment of the
 746 appropriate license taxes and fees occurs annually.

747 2. A vehicle that has an apportioned registration shall be
 748 issued an annual license plate and a cab card that denote the
 749 declared gross vehicle weight for each apportioned jurisdiction
 750 in which the vehicle is authorized to operate. This subparagraph

751 expires June 30, 2024.

752 3. Beginning July 1, 2024, a vehicle registered in
753 accordance with the International Registration Plan must be
754 issued a license plate for a 3-year period. At the end of the 3-
755 year period, upon renewal, the license plate must be replaced.
756 Each license plate must include a validation sticker showing the
757 month of expiration. A cab card denoting the declared gross
758 vehicle weight for each apportioned jurisdiction must be issued
759 annually. The fee for an original or a renewal cab card is \$28,
760 which must be deposited into the Highway Safety Operating Trust
761 Fund. If the license plate is damaged or worn, it may be
762 replaced at no charge by applying to the department and
763 surrendering the current license plate.

764 4. In order to retain the efficient administration of the
765 taxes and fees imposed by this chapter, the 80-cent fee increase
766 in the replacement fee imposed by chapter 2009-71, Laws of
767 Florida, is negated as provided in s. 320.0804.

768 (3)(a) Registration license plates must be made of metal
769 specially treated with a retroreflection material, as specified
770 by the department. The registration license plate is designed to
771 increase nighttime visibility and legibility and must be at
772 least 6 inches wide and not less than 12 inches in length,
773 unless a plate with reduced dimensions is deemed necessary by
774 the department to accommodate motorcycles, mopeds, ~~or~~ similar
775 smaller vehicles, or trailers. Validation stickers must also be

776 treated with a retroreflection material, must be of such size as
777 specified by the department, and must adhere to the license
778 plate. The registration license plate must be imprinted with a
779 combination of bold letters and numerals or numerals, not to
780 exceed seven digits, to identify the registration license plate
781 number. The license plate must be imprinted with the word
782 "Florida" at the top and the name of the county in which it is
783 sold, the state motto, or the words "Sunshine State" at the
784 bottom. Apportioned license plates must have the word
785 "Apportioned" at the bottom, and license plates issued for
786 vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or
787 (c), or (14) must have the word "Restricted" at the bottom.
788 License plates issued for vehicles taxed under s. 320.08(12)
789 must be imprinted with the word "Florida" at the top and the
790 word "Dealer" at the bottom unless the license plate is a
791 specialty license plate as authorized in s. 320.08056.
792 Manufacturer license plates issued for vehicles taxed under s.
793 320.08(12) must be imprinted with the word "Florida" at the top
794 and the word "Manufacturer" at the bottom. License plates issued
795 for vehicles taxed under s. 320.08(5)(d) or (e) must be
796 imprinted with the word "Wrecker" at the bottom. Any county may,
797 upon majority vote of the county commission, elect to have the
798 county name removed from the license plates sold in that county.
799 The state motto or the words "Sunshine State" shall be printed
800 in lieu thereof. A license plate issued for a vehicle taxed

801 under s. 320.08(6) may not be assigned a registration license
802 number, or be issued with any other distinctive character or
803 designation, that distinguishes the motor vehicle as a for-hire
804 motor vehicle.

805 Section 13. Effective January 1, 2024, section 320.0605,
806 Florida Statutes, is amended to read:

807 320.0605 Certificate of registration and other documents;
808 possession required; exception.—

809 (1)(a) The registration certificate in a uniform paper or
810 electronic format, as prescribed by the department, or an
811 official copy thereof; ~~;~~ a true copy or an electronic copy of
812 rental or lease documentation issued for a motor vehicle or
813 issued for a replacement vehicle in the same registration
814 period; ~~;~~ a temporary receipt printed upon self-initiated
815 electronic renewal of a registration via the Internet; ~~;~~ or a cab
816 card issued for a vehicle registered under the International
817 Registration Plan must ~~shall, at all times while the vehicle is~~
818 ~~being used or operated on the roads of this state,~~ be in the
819 possession of the operator ~~thereof~~ or be carried in the vehicle
820 for which such documentation was issued at all times while the
821 vehicle is being used or operated on the roads of this state and
822 must ~~shall~~ be exhibited upon demand of any authorized law
823 enforcement officer or any agent of the department, except for a
824 vehicle registered under s. 320.0657. This paragraph ~~section~~
825 does not apply during the first 30 days after purchase of a

826 replacement vehicle. A violation of this paragraph ~~section~~ is a
827 noncriminal traffic infraction, punishable as a nonmoving
828 violation as provided in chapter 318.

829 (b)1. The act of presenting to a law enforcement officer
830 or agent of the department an electronic device displaying an
831 electronic registration certificate or a copy of rental or lease
832 documentation does not constitute consent for the officer or
833 agent to access any information on the device other than the
834 displayed registration certificate or rental or lease
835 documentation.

836 2. The person who presents the device to the officer or
837 agent assumes the liability for any resulting damage to the
838 device.

839 (2) Rental or lease documentation that is sufficient to
840 satisfy the requirement in subsection (1) includes the
841 following:

- 842 (a) Date and time of rental;
843 (b) Rental agreement number;
844 (c) Rental vehicle identification number;
845 (d) Rental vehicle license plate number and state of
846 registration;
847 (e) Vehicle's make, model, and color;
848 (f) Vehicle's mileage; and
849 (g) Authorized renter's name.

850 Section 14. Paragraphs (a) and (f) of subsection (8) of

851 section 320.08056, Florida Statutes, as amended by section 7 of
852 chapter 2020-181, Laws of Florida, are amended to read:

853 320.08056 Specialty license plates.—

854 (8)(a) The department must discontinue the issuance of an
855 approved specialty license plate if the number of valid
856 specialty plate registrations falls below 3,000, ~~or in the case~~
857 ~~of an out-of-state college or university license plate, 4,000,~~
858 for at least 12 consecutive months. The department shall mail a
859 warning letter to the sponsoring organization following the
860 first month in which the total number of valid specialty plate
861 registrations is below 3,000, ~~or in the case of an out-of-state~~
862 ~~college or university license plate, 4,000.~~ This paragraph does
863 not apply to in-state collegiate license plates established
864 under s. 320.08058(3), license plates of institutions in and
865 entities of the State University System, specialty license
866 plates that have statutory eligibility limitations for purchase,
867 specialty license plates for which annual use fees are
868 distributed by a foundation for student and teacher leadership
869 programs and teacher recruitment and retention, or Florida
870 Professional Sports Team license plates established under s.
871 320.08058(9).

872 (f) Notwithstanding paragraph (a), on January 1 of each
873 year, the department shall discontinue the specialty license
874 plate with the fewest number of plates in circulation, including
875 license plates exempt from a statutory sales requirement. The

876 department shall mail a warning letter to the sponsoring
 877 organizations of the 10 percent of specialty license plates with
 878 the lowest number of valid, active registrations as of December
 879 1 of each year. This paragraph does not apply to collegiate
 880 license plates established under s. 320.08058(3).

881 Section 15. Subsections (3) and (58) and paragraph (a) of
 882 subsection (95) of section 320.08058, Florida Statutes, are
 883 amended to read:

884 320.08058 Specialty license plates.—

885 (3) COLLEGIATE LICENSE PLATES.—

886 (a) The department shall develop a collegiate license
 887 plate as provided in this section for state and independent
 888 universities domiciled in this state. However, any collegiate
 889 license plate created or established after October 1, 2002, must
 890 comply with the requirements of s. 320.08053 other than the
 891 presale requirements in s. 320.08053(2)(b) and be specifically
 892 authorized by an act of the Legislature. Collegiate license
 893 plates must bear the colors and design approved by the
 894 department as appropriate for each state and independent
 895 university. The word "Florida" must be stamped across the bottom
 896 of the plate in small letters.

897 (b) A collegiate plate annual use fee is to be distributed
 898 to the state or independent university foundation designated by
 899 the purchaser for deposit in an unrestricted account. The Board
 900 of Governors of the State University System shall require each

901 state university to submit a plan for approval of the
 902 expenditure of all funds so designated. These funds may be used
 903 only for academic enhancement, including scholarships and
 904 private fundraising activities.

905 (c) If a collegiate license plate has previously been
 906 discontinued pursuant to s. 320.08056(8)(f), the department may
 907 reauthorize the collegiate license plate if the state or
 908 independent university resubmits the collegiate license plate
 909 for authorization.

910 (58) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

911 (a) The department shall develop a Protect Florida Springs
 912 license plate as provided in this section. The word "Florida"
 913 must appear at the top of the plate, and the words "Protect
 914 Florida Springs" must appear at the bottom of the plate.

915 (b) The annual use fees shall be distributed to the Fish &
 916 Wildlife Foundation of Florida, Inc., a citizen support
 917 organization created pursuant to s. 379.223, which shall
 918 administer the fees as follows:

919 ~~1. Wildlife Foundation of Florida, Inc., shall retain the~~
 920 ~~first \$60,000 of the annual use fees as direct reimbursement for~~
 921 ~~administrative costs, startup costs, and costs incurred in the~~
 922 ~~development and approval process.~~

923 1.2. Up to ~~Thereafter, a maximum of~~ 10 percent of the fees
 924 may be used for administrative costs directly associated with
 925 education programs, conservation, springs research, and grant

926 administration of the foundation. A maximum of 15 percent of the
927 fees may be used for continuing promotion and marketing of the
928 license plate.

929 ~~2.3.~~ At least 75 ~~55~~ percent of the fees shall be available
930 for the conservation of Florida's freshwater springs, including
931 scientific research, springs habitat restoration, springs
932 protection, and public education regarding springs ~~competitive~~
933 ~~grants for targeted community-based springs research not~~
934 ~~currently available for state funding. The remaining 20 percent~~
935 ~~shall be directed toward community outreach programs aimed at~~
936 ~~implementing such research findings. The majority of funds shall~~
937 be awarded via competitive grants ~~shall be~~ administered and
938 approved by the board of directors of the Fish & Wildlife
939 Foundation of Florida, Inc., with input from a. ~~The~~ granting
940 advisory committee ~~shall be~~ composed of nine members, including
941 one representative from the Fish and Wildlife Conservation
942 Commission, one representative from the Department of
943 Environmental Protection, one representative from the Department
944 of Health, one representative from the Department of Economic
945 Opportunity, three citizen representatives, and two
946 representatives from nonprofit stakeholder groups.

947 ~~4. The remaining funds shall be distributed with the~~
948 ~~approval of and accountability to the board of directors of the~~
949 ~~Wildlife Foundation of Florida, and shall be used to support~~
950 ~~activities contributing to education, outreach, and springs~~

951 ~~conservation.~~

952 (95) AMERICAN EAGLE LICENSE PLATES.—

953 (a) The department shall develop an American Eagle license
 954 plate as provided in this section and s. 320.08053. The plate
 955 must bear the colors and design approved by the department. The
 956 word "Florida" must appear at the top of the plate, and the
 957 words "Protect the Eagle ~~In God We Trust~~" must appear at the
 958 bottom of the plate.

959 Section 16. Subsection (1) of section 320.084, Florida
 960 Statutes, is amended, and subsection (6) is added to that
 961 section, to read:

962 320.084 Free motor vehicle license plate to certain
 963 disabled veterans.—

964 (1) One free "DV" motor vehicle license number plate shall
 965 be issued by the department for use on any motor vehicle owned
 966 or leased by any disabled veteran who has been a resident of
 967 this state continuously for the preceding 5 years or has
 968 established a domicile in this state as provided by s.
 969 222.17(1), (2), or (3), and who has been honorably discharged
 970 from the United States Armed Forces, upon application,
 971 accompanied by proof that:

972 (a) A vehicle was initially acquired through financial
 973 assistance by the United States Department of Veterans Affairs
 974 or its predecessor specifically for the purchase of an
 975 automobile;

976 (b) The applicant has been determined by the United States
 977 Department of Veterans Affairs or its predecessor to have a
 978 service-connected 100-percent disability rating for
 979 compensation; or

980 (c) The applicant has been determined to have a service-
 981 connected disability rating of 100 percent and is in receipt of
 982 disability retirement pay from any branch of the United States
 983 Armed Services.

984 (6) (a) A disabled veteran who meets the requirements of
 985 subsection (1) may be issued, in lieu of the "DV" license plate,
 986 a military license plate for which he or she is eligible or a
 987 specialty license plate. A disabled veteran electing a military
 988 license plate or specialty license plate under this subsection
 989 must pay all applicable fees related to such license plate,
 990 except for fees otherwise waived under subsections (1) and (4).

991 (b) A military license plate or specialty license plate
 992 elected under this subsection:

993 1. Does not provide the protections or rights afforded by
 994 ss. 316.1955, 316.1964, 320.0848, 526.141, and 553.5041.

995 2. Is not eligible for the international symbol of
 996 accessibility as described in s. 320.0842.

997 Section 17. Subsections (16) through (48) of section
 998 322.01, Florida Statutes, are renumbered as subsections (17)
 999 through (49), respectively, subsection (5) and present
 1000 subsections (37) and (41) of that section are amended, and a new

1001 subsection (16) is added to that section, to read:
 1002 322.01 Definitions.—As used in this chapter:
 1003 (5) "Cancellation" means the act of declaring a driver
 1004 license void and terminated but does not include a downgrade.
 1005 (16) "Downgrade" has the same meaning as provided in
 1006 paragraph (4) of the definition of the term "CDL downgrade" in
 1007 49 C.F.R. s. 383.5.
 1008 (38)~~(37)~~ "Revocation" means the termination of a
 1009 licensee's privilege to drive but does not include a downgrade.
 1010 (42)~~(41)~~ "Suspension" means the temporary withdrawal of a
 1011 licensee's privilege to drive a motor vehicle but does not
 1012 include a downgrade.
 1013 Section 18. Subsection (2) of section 322.02, Florida
 1014 Statutes, is amended to read:
 1015 322.02 Legislative intent; administration.—
 1016 (2) The Department of Highway Safety and Motor Vehicles is
 1017 charged with the administration and function of enforcement of
 1018 ~~the provisions of~~ this chapter and the enforcement and
 1019 administration of 49 C.F.R. parts 382-386 and 390-397.
 1020 Section 19. Subsections (4) through (12) of section
 1021 322.05, Florida Statutes, are renumbered as subsections (5)
 1022 through (13), respectively, and a new subsection (4) is added to
 1023 that section to read:
 1024 322.05 Persons not to be licensed.—The department may not
 1025 issue a license:

1026 (4) To any person, as a commercial motor vehicle operator,
 1027 who is ineligible to operate a commercial motor vehicle pursuant
 1028 to 49 C.F.R. part 383.

1029 Section 20. Subsection (3) of section 322.07, Florida
 1030 Statutes, is amended to read:

1031 322.07 Instruction permits and temporary licenses.—

1032 (3) Any person who, except for his or her lack of
 1033 instruction in operating a commercial motor vehicle, would
 1034 otherwise be qualified to obtain a commercial driver license
 1035 under this chapter, may apply for a temporary commercial
 1036 instruction permit. The department shall issue such a permit
 1037 entitling the applicant, while having the permit in his or her
 1038 immediate possession, to drive a commercial motor vehicle on the
 1039 highways, if:

1040 (a) The applicant possesses a valid Florida driver
 1041 license; ~~and~~

1042 (b) The applicant, while operating a commercial motor
 1043 vehicle, is accompanied by a licensed driver who is 21 years of
 1044 age or older, who is licensed to operate the class of vehicle
 1045 being operated, and who is occupying the closest seat to the
 1046 right of the driver; and

1047 (c) The department has not been notified that, pursuant to
 1048 49 C.F.R. s. 382.501(a), the applicant is prohibited from
 1049 operating a commercial motor vehicle.

1050 Section 21. Effective January 1, 2024, subsection (3) of

1051 section 322.141, Florida Statutes, is amended to read:

1052 322.141 Color or markings of certain licenses or
 1053 identification cards.—

1054 (3) All licenses for the operation of motor vehicles or
 1055 identification cards originally issued or reissued by the
 1056 department to persons who are designated as sexual predators
 1057 under s. 775.21 or subject to registration as sexual offenders
 1058 under s. 943.0435 or s. 944.607, or who have a similar
 1059 designation or are subject to a similar registration under the
 1060 laws of another jurisdiction, shall have printed in the color
 1061 red all information otherwise required to be printed on the
 1062 front of the license or identification card, as well as the
 1063 following:

1064 (a) For a person designated as a sexual predator under s.
 1065 775.21 or who has a similar designation under the laws of
 1066 another jurisdiction, the marking "SEXUAL PREDATOR."

1067 (b) For a person subject to registration as a sexual
 1068 offender under s. 943.0435 or s. 944.607, or subject to a
 1069 similar registration under the laws of another jurisdiction, the
 1070 marking "943.0435, F.S."

1071 Section 22. Paragraphs (m) and (n) of subsection (4) of
 1072 section 322.142, Florida Statutes, are amended, and paragraphs
 1073 (o) and (p) are added to that subsection, to read:

1074 322.142 Color photographic or digital imaged licenses.—

1075 (4) The department may maintain a film negative or print

1076 file. The department shall maintain a record of the digital
 1077 image and signature of the licensees, together with other data
 1078 required by the department for identification and retrieval.
 1079 Reproductions from the file or digital record are exempt from
 1080 the provisions of s. 119.07(1) and may be made and issued only:

1081 (m) To the following persons for the purpose of
 1082 identifying a person as part of the official work of a court:

1083 1. A justice or judge of this state;

1084 2. An employee of the state courts system who works in a
 1085 position that is designated in writing for access by the Chief
 1086 Justice of the Supreme Court or a chief judge of a district or
 1087 circuit court, or by his or her designee; or

1088 3. A government employee who performs functions on behalf
 1089 of the state courts system in a position that is designated in
 1090 writing for access by the Chief Justice or a chief judge, or by
 1091 his or her designee; ~~or~~

1092 (n) To the Agency for Health Care Administration pursuant
 1093 to an interagency agreement to prevent health care fraud. If the
 1094 Agency for Health Care Administration enters into an agreement
 1095 with a private entity to carry out duties relating to health
 1096 care fraud prevention, such contracts shall include, but need
 1097 not be limited to:

1098 1. Provisions requiring internal controls and audit
 1099 processes to identify access, use, and unauthorized access of
 1100 information.

1101 2. A requirement to report unauthorized access or use to
1102 the Agency for Health Care Administration within 1 business day
1103 after the discovery of the unauthorized access or use.

1104 3. Provisions for liquidated damages for unauthorized
1105 access or use of no less than \$5,000 per occurrence;

1106 (o) To any criminal justice agency, as defined in s.
1107 943.045, pursuant to an interagency agreement for use in
1108 carrying out the criminal justice agency's functions; or

1109 (p) To the driver licensing agency of any other state for
1110 purposes of validating the identity of an applicant for a driver
1111 license or identification card.

1112 Section 23. Subsection (8) and paragraph (a) of subsection
1113 (9) of section 322.21, Florida Statutes, are amended to read:

1114 322.21 License fees; procedure for handling and collecting
1115 fees.—

1116 (8) A person who applies for reinstatement following the
1117 suspension or revocation of the person's driver license must pay
1118 a service fee of \$45 following a suspension, and \$75 following a
1119 revocation, which is in addition to the fee for a license. A
1120 person who applies for reinstatement of a commercial driver
1121 license following the disqualification or downgrade of the
1122 person's privilege to operate a commercial motor vehicle shall
1123 pay a service fee of \$75, which is in addition to the fee for a
1124 license. The department shall collect all of these fees at the
1125 time of reinstatement. The department shall issue proper

1126 receipts for such fees and shall promptly transmit all funds
 1127 received by it as follows:

1128 (a) Of the \$45 fee received from a licensee for
 1129 reinstatement following a suspension:

1130 1. If the reinstatement is processed by the department,
 1131 the department shall deposit \$15 in the General Revenue Fund and
 1132 \$30 in the Highway Safety Operating Trust Fund.

1133 2. If the reinstatement is processed by the tax collector,
 1134 \$15, less the general revenue service charge set forth in s.
 1135 215.20(1), shall be retained by the tax collector, \$15 shall be
 1136 deposited into the Highway Safety Operating Trust Fund, and \$15
 1137 shall be deposited into the General Revenue Fund.

1138 (b) Of the \$75 fee received from a licensee for
 1139 reinstatement following a revocation, or ~~or~~ disqualification, or
 1140 downgrade:

1141 1. If the reinstatement is processed by the department,
 1142 the department shall deposit \$35 in the General Revenue Fund and
 1143 \$40 in the Highway Safety Operating Trust Fund.

1144 2. If the reinstatement is processed by the tax collector,
 1145 \$20, less the general revenue service charge set forth in s.
 1146 215.20(1), shall be retained by the tax collector, \$20 shall be
 1147 deposited into the Highway Safety Operating Trust Fund, and \$35
 1148 shall be deposited into the General Revenue Fund.

1149
 1150 If the revocation or suspension of the driver license was for a

1151 violation of s. 316.193, or for refusal to submit to a lawful
 1152 breath, blood, or urine test, an additional fee of \$130 must be
 1153 charged. However, only one \$130 fee may be collected from one
 1154 person convicted of violations arising out of the same incident.
 1155 The department shall collect the \$130 fee and deposit the fee
 1156 into the Highway Safety Operating Trust Fund at the time of
 1157 reinstatement of the person's driver license, but the fee may
 1158 not be collected if the suspension or revocation is overturned.
 1159 If the revocation or suspension of the driver license was for a
 1160 conviction for a violation of s. 817.234(8) or (9) or s.
 1161 817.505, an additional fee of \$180 is imposed for each offense.
 1162 The department shall collect and deposit the additional fee into
 1163 the Highway Safety Operating Trust Fund at the time of
 1164 reinstatement of the person's driver license.

1165 (9) An applicant:

1166 (a) Requesting a review authorized in s. 322.222, s.
 1167 322.2615, s. 322.2616, s. 322.27, s. 322.591, or s. 322.64 must
 1168 pay a filing fee of \$25 to be deposited into the Highway Safety
 1169 Operating Trust Fund.

1170 Section 24. Section 322.591, Florida Statutes, is created
 1171 to read:

1172 322.591 Commercial driver license and commercial
 1173 instruction permit; Commercial Driver's License Drug and Alcohol
 1174 Clearinghouse; prohibition on issuance of commercial driver
 1175 licenses; downgrades.-

1176 (1) Beginning November 18, 2024, when a person applies for
1177 or seeks to renew, transfer, or make any other change to a
1178 commercial driver license or commercial instruction permit, the
1179 department must obtain the driver's record from the Commercial
1180 Driver's License Drug and Alcohol Clearinghouse established
1181 pursuant to 49 C.F.R. part 382. The department may not issue,
1182 renew, transfer, or revise the types of authorized vehicles that
1183 may be operated or the endorsements applicable to a commercial
1184 driver license or commercial instruction permit for any person
1185 for whom the department receives notification that, pursuant to
1186 49 C.F.R. s. 382.501(a), the person is prohibited from operating
1187 a commercial vehicle.

1188 (2) Beginning November 18, 2024, the department shall
1189 downgrade the commercial driver license or commercial
1190 instruction permit of any driver if the department receives
1191 notification that, pursuant to 49 C.F.R. s. 382.501(a), the
1192 driver is prohibited from operating a commercial motor vehicle.
1193 Any such downgrade must be completed and recorded by the
1194 department in the Commercial Driver's License Information System
1195 within 60 days after the department's receipt of such
1196 notification.

1197 (3)(a) Beginning November 18, 2024, upon receipt of
1198 notification that, pursuant to 49 C.F.R. s. 382.501(a), a driver
1199 is prohibited from operating a commercial motor vehicle, the
1200 department shall immediately notify the driver who is the

1201 subject of such notification that he or she is prohibited from
1202 operating a commercial motor vehicle and, upon his or her
1203 request, must afford him or her an opportunity for an informal
1204 hearing pursuant to this section. The department's notice must
1205 be provided to the driver in the same manner as, and providing
1206 such notice has the same effect as, notices provided pursuant to
1207 s. 322.251(1) and (2).

1208 (b) Such informal hearing must be requested not later than
1209 20 days after the driver receives the notice of the downgrade.
1210 If a request for a hearing, together with the filing fee
1211 required pursuant to s. 322.21, is not received within 20 days
1212 after receipt of such notice, the department must enter a final
1213 order directing the downgrade of the driver's commercial driver
1214 license or commercial instruction permit unless the department
1215 receives notification that, pursuant to 49 C.F.R. s. 382.503(a),
1216 the driver is no longer prohibited from operating a commercial
1217 motor vehicle.

1218 (c) A hearing requested pursuant to paragraph (b) must be
1219 scheduled and held not later than 30 days after receipt by the
1220 department of a request for the hearing, together with the
1221 filing fee required pursuant to s. 322.21. The submission of a
1222 request for hearing pursuant to this subsection tolls the
1223 deadline to file a petition for writ of certiorari pursuant to
1224 s. 322.31 until after the department enters a final order after
1225 a hearing pursuant to this subsection.

1226 (d) The informal hearing authorized pursuant to this
1227 subsection is exempt from chapter 120. Such hearing must be
1228 conducted before a hearing officer designated by the department.
1229 The hearing officer may conduct such hearing from any location
1230 in this state by means of communications technology.

1231 (e) The notification received by the department pursuant
1232 to 49 C.F.R. s. 382.501(a) must be in the record for
1233 consideration by the hearing officer and in any proceeding
1234 pursuant to s. 322.31 and is considered self-authenticating. The
1235 basis for the notification received by the department pursuant
1236 to 49 C.F.R. s. 382.501(a) and the information in the Commercial
1237 Driver's License Drug and Alcohol Clearinghouse which resulted
1238 in such notification are not subject to challenge in the hearing
1239 or in any proceeding brought under s. 322.31.

1240 (f) If, before the entry of a final order arising from a
1241 notification received by the department pursuant to 49 C.F.R. s.
1242 382.501(a), the department receives notification that, pursuant
1243 to 49 C.F.R. s. 382.503(a), the driver is no longer prohibited
1244 from operating a commercial motor vehicle, the department must
1245 dismiss the action to downgrade the driver's commercial driver
1246 license or commercial instruction permit.

1247 (g) Upon the entry of a final order that results in the
1248 downgrade of a driver's commercial driver license or commercial
1249 instruction permit, the department shall record immediately in
1250 the driver's record that the driver is disqualified from

1251 operating or driving a commercial motor vehicle. The downgrade
1252 of a commercial driver license or commercial instruction permit
1253 pursuant to a final order entered pursuant to this section, and,
1254 upon the entry of a final order, the recording in the driver's
1255 record that the driver subject to such a final order is
1256 disqualified from operating or driving a commercial motor
1257 vehicle, are not stayed during the pendency of any proceeding
1258 pursuant to s. 322.31.

1259 (h) If, after the entry of a final order that results in
1260 the downgrade of a driver's commercial driver license or
1261 commercial instruction permit and the department's recording in
1262 the driver's record that the driver is disqualified from
1263 operating or driving a commercial motor vehicle, the department
1264 receives notification that, pursuant to 49 C.F.R. s. 382.503(a),
1265 the driver is no longer prohibited from operating a commercial
1266 motor vehicle, the department must reinstate the driver's
1267 commercial driver license or commercial instruction permit upon
1268 application by such driver.

1269 (i) The department is not liable for any commercial driver
1270 license or commercial instruction permit downgrade resulting
1271 from the discharge of its duties.

1272 (j) This section is the exclusive procedure for the
1273 downgrade of a commercial driver license or commercial
1274 instruction permit following notification received by the
1275 department that, pursuant to 49 C.F.R. s. 382.501(a), a driver

1276 is prohibited from operating a commercial motor vehicle.

1277 (k) The downgrade of a commercial driver license or
1278 commercial instruction permit of a person pursuant to this
1279 section does not preclude the suspension of the driving
1280 privilege for that person pursuant to s. 322.2615 or the
1281 disqualification of that person from operating a commercial
1282 motor vehicle pursuant to s. 322.64. The driving privilege of a
1283 person whose commercial driver license or commercial instruction
1284 permit has been downgraded pursuant to this section also may be
1285 suspended for a violation of s. 316.193.

1286 (4) Beginning November 18, 2024, a driver for whom the
1287 department receives notification that, pursuant to 49 C.F.R. s.
1288 382.501(a), such person is prohibited from operating a
1289 commercial motor vehicle may, if otherwise qualified, be issued
1290 a Class E driver license pursuant to s. 322.251(4), valid for
1291 the length of his or her unexpired license period, at no cost.

1292 Section 25. Subsection (2) of section 322.34, Florida
1293 Statutes, is amended to read:

1294 322.34 Driving while license suspended, revoked, canceled,
1295 or disqualified.—

1296 (2) Any person whose driver license or driving privilege
1297 has been canceled, suspended, or revoked as provided by law, or
1298 who does not have a driver license or driving privilege but is
1299 under suspension or revocation equivalent status as defined in
1300 s. 322.01(43) ~~s. 322.01(42)~~, except persons defined in s.

1301 322.264, who, knowing of such cancellation, suspension,
 1302 revocation, or suspension or revocation equivalent status,
 1303 drives any motor vehicle upon the highways of this state while
 1304 such license or privilege is canceled, suspended, or revoked, or
 1305 while under suspension or revocation equivalent status, commits:

1306 (a) A misdemeanor of the second degree, punishable as
 1307 provided in s. 775.082 or s. 775.083.

1308 (b)1. A misdemeanor of the first degree, punishable as
 1309 provided in s. 775.082 or s. 775.083, upon a second or
 1310 subsequent conviction, except as provided in paragraph (c).

1311 2. A person convicted of a third or subsequent conviction,
 1312 except as provided in paragraph (c), must serve a minimum of 10
 1313 days in jail.

1314 (c) A felony of the third degree, punishable as provided
 1315 in s. 775.082, s. 775.083, or s. 775.084, upon a third or
 1316 subsequent conviction if the current violation of this section
 1317 or the most recent prior violation of the section is related to
 1318 driving while license canceled, suspended, revoked, or
 1319 suspension or revocation equivalent status resulting from a
 1320 violation of:

1321 1. Driving under the influence;

1322 2. Refusal to submit to a urine, breath-alcohol, or blood
 1323 alcohol test;

1324 3. A traffic offense causing death or serious bodily
 1325 injury; or

1326 4. Fleeing or eluding.

1327

1328 The element of knowledge is satisfied if the person has been
 1329 previously cited as provided in subsection (1); or the person
 1330 admits to knowledge of the cancellation, suspension, or
 1331 revocation, or suspension or revocation equivalent status; or
 1332 the person received notice as provided in subsection (4). There
 1333 shall be a rebuttable presumption that the knowledge requirement
 1334 is satisfied if a judgment or order as provided in subsection
 1335 (4) appears in the department's records for any case except for
 1336 one involving a suspension by the department for failure to pay
 1337 a traffic fine or for a financial responsibility violation.

1338 Section 26. Subsection (4) of section 322.61, Florida
 1339 Statutes, is amended to read:

1340 322.61 Disqualification from operating a commercial motor
 1341 vehicle.—

1342 (4) Any person who is transporting hazardous materials as
 1343 defined in s. 322.01(25) ~~s. 322.01(24)~~ shall, upon conviction of
 1344 an offense specified in subsection (3), be disqualified from
 1345 operating a commercial motor vehicle for a period of 3 years.
 1346 The penalty provided in this subsection shall be in addition to
 1347 any other applicable penalty.

1348 Section 27. Paragraph (c) of subsection (9) of section
 1349 324.021, Florida Statutes, is amended to read:

1350 324.021 Definitions; minimum insurance required.—The

1351 following words and phrases when used in this chapter shall, for
1352 the purpose of this chapter, have the meanings respectively
1353 ascribed to them in this section, except in those instances
1354 where the context clearly indicates a different meaning:

1355 (9) OWNER; OWNER/LESSOR.—

1356 (c) Application.—

1357 1. The limits on liability in subparagraphs (b)2. and 3.
1358 do not apply to an owner of motor vehicles that are used for
1359 commercial activity in the owner's ordinary course of business,
1360 other than a rental company that rents or leases motor vehicles.
1361 For purposes of this paragraph, the term "rental company"
1362 includes only an entity that is engaged in the business of
1363 renting or leasing motor vehicles to the general public and that
1364 rents or leases a majority of its motor vehicles to persons with
1365 no direct or indirect affiliation with the rental company. The
1366 term "rental company" also includes:

1367 a. A related rental or leasing company that is a
1368 subsidiary of the same parent company as that of the renting or
1369 leasing company that rented or leased the vehicle.

1370 b. The holder of a motor vehicle title or an equity
1371 interest in a motor vehicle title if the title or equity
1372 interest is held pursuant to or to facilitate an asset-backed
1373 securitization of a fleet of motor vehicles used solely in the
1374 business of renting or leasing motor vehicles to the general
1375 public and under the dominion and control of a rental company,

1376 as described in this subparagraph, in the operation of such
1377 rental company's business.

1378 2. Furthermore, with respect to commercial motor vehicles
1379 as defined in s. 627.732, the limits on liability in
1380 subparagraphs (b)2. and 3. do not apply if, at the time of the
1381 incident, the commercial motor vehicle is being used in the
1382 transportation of materials found to be hazardous for the
1383 purposes of the Hazardous Materials Transportation Authorization
1384 Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq., and that is
1385 required pursuant to such act to carry placards warning others
1386 of the hazardous cargo, unless at the time of lease or rental
1387 either:

1388 a. The lessee indicates in writing that the vehicle will
1389 not be used to transport materials found to be hazardous for the
1390 purposes of the Hazardous Materials Transportation Authorization
1391 Act of 1994, as amended, 49 U.S.C. ss. 5101 et seq.; or

1392 b. The lessee or other operator of the commercial motor
1393 vehicle has in effect insurance with limits of at least
1394 \$5,000,000 combined property damage and bodily injury liability.

1395 3.a. A motor vehicle dealer, or a motor vehicle dealer's
1396 leasing or rental affiliate, that provides a temporary
1397 replacement vehicle at no charge or at a reasonable daily charge
1398 to a service customer whose vehicle is being held for repair,
1399 service, or adjustment by the motor vehicle dealer is immune
1400 from any cause of action and is not liable, vicariously or

1401 directly, under general law solely by reason of being the owner
1402 of the temporary replacement vehicle for harm to persons or
1403 property that arises out of the use, or operation, of the
1404 temporary replacement vehicle by any person during the period
1405 the temporary replacement vehicle has been entrusted to the
1406 motor vehicle dealer's service customer if there is no
1407 negligence or criminal wrongdoing on the part of the motor
1408 vehicle owner, or its leasing or rental affiliate.

1409 b. For purposes of this section, and notwithstanding any
1410 other provision of general law, a motor vehicle dealer, or a
1411 motor vehicle dealer's leasing or rental affiliate, that gives
1412 possession, control, or use of a temporary replacement vehicle
1413 to a motor vehicle dealer's service customer may not be adjudged
1414 liable in a civil proceeding absent negligence or criminal
1415 wrongdoing on the part of the motor vehicle dealer, or the motor
1416 vehicle dealer's leasing or rental affiliate, if the motor
1417 vehicle dealer or the motor vehicle dealer's leasing or rental
1418 affiliate executes a written rental or use agreement and obtains
1419 from the person receiving the temporary replacement vehicle a
1420 copy of the person's driver license and insurance information
1421 reflecting at least the minimum motor vehicle insurance coverage
1422 required in the state. Any subsequent determination that the
1423 driver license or insurance information provided to the motor
1424 vehicle dealer, or the motor vehicle dealer's leasing or rental
1425 affiliate, was in any way false, fraudulent, misleading,

1426 nonexistent, canceled, not in effect, or invalid does not alter
1427 or diminish the protections provided by this section, unless the
1428 motor vehicle dealer, or the motor vehicle dealer's leasing or
1429 rental affiliate, had actual knowledge thereof at the time
1430 possession of the temporary replacement vehicle was provided.

1431 c. For purposes of this subparagraph, the term:

1432 (I) "Control" means the power to direct the management and
1433 policies of a person whether through ownership of voting
1434 securities or otherwise.

1435 (II) "Motor vehicle dealer's leasing or rental affiliate"
1436 means a person who directly or indirectly controls, is
1437 controlled by, or is under common control with the motor vehicle
1438 dealer.

1439 ~~d.e.~~ For purposes of this subparagraph, the term "service
1440 customer" does not include an agent or a principal of a motor
1441 vehicle dealer or a motor vehicle dealer's leasing or rental
1442 affiliate, and does not include an employee of a motor vehicle
1443 dealer or a motor vehicle dealer's leasing or rental affiliate
1444 unless the employee was provided a temporary replacement
1445 vehicle:

1446 (I) While the employee's personal vehicle was being held
1447 for repair, service, or adjustment by the motor vehicle dealer;

1448 (II) In the same manner as other customers who are
1449 provided a temporary replacement vehicle while the customer's
1450 vehicle is being held for repair, service, or adjustment; and

1451 (III) The employee was not acting within the course and
 1452 scope of his or her employment.

1453 Section 28. Subsection (3) of section 324.0221, Florida
 1454 Statutes, is amended to read:

1455 324.0221 Reports by insurers to the department; suspension
 1456 of driver license and vehicle registrations; reinstatement.—

1457 (3) An operator or owner whose driver license or
 1458 registration has been suspended under this section or s. 316.646
 1459 may effect its reinstatement upon compliance with the
 1460 requirements of this section and upon payment to the department
 1461 of a nonrefundable reinstatement fee of \$150 for the first
 1462 reinstatement. The reinstatement fee is \$250 for the second
 1463 reinstatement and \$500 for each subsequent reinstatement during
 1464 the 3 years following the first reinstatement. A person
 1465 reinstating her or his insurance under this subsection must also
 1466 secure ~~noncancelable~~ coverage as described in ss. 324.021(8),
 1467 324.023, and 627.7275(2) and present to the appropriate person
 1468 proof that the coverage is in force on a form adopted by the
 1469 department, and such proof shall be maintained for 2 years. If
 1470 the person does not have a second reinstatement within 3 years
 1471 after her or his initial reinstatement, the reinstatement fee is
 1472 \$150 for the first reinstatement after that 3-year period. If a
 1473 person's license and registration are suspended under this
 1474 section or s. 316.646, only one reinstatement fee must be paid
 1475 to reinstate the license and the registration. All fees shall be

1476 collected by the department at the time of reinstatement. The
 1477 department shall issue proper receipts for such fees and shall
 1478 promptly deposit those fees in the Highway Safety Operating
 1479 Trust Fund. One-third of the fees collected under this
 1480 subsection shall be distributed from the Highway Safety
 1481 Operating Trust Fund to the local governmental entity or state
 1482 agency that employed the law enforcement officer seizing the
 1483 license plate pursuant to s. 324.201. The funds may be used by
 1484 the local governmental entity or state agency for any authorized
 1485 purpose.

1486 Section 29. Section 324.131, Florida Statutes, is amended
 1487 to read:

1488 324.131 Period of suspension.—Such license, registration
 1489 and nonresident's operating privilege shall remain so suspended
 1490 and shall not be renewed, nor shall any such license or
 1491 registration be thereafter issued in the name of such person,
 1492 including any such person not previously licensed, unless and
 1493 until every such judgment is stayed, satisfied in full or to the
 1494 extent of the limits stated in s. 324.021(7) and until the said
 1495 person gives proof of financial responsibility as provided in s.
 1496 324.031, such proof to be maintained for 3 years. In addition,
 1497 if the person's license or registration has been suspended or
 1498 revoked due to a violation of s. 316.193 or pursuant to s.
 1499 322.26(2), that person shall maintain ~~noncancelable~~ liability
 1500 coverage for each motor vehicle registered in his or her name,

1501 as described in s. 627.7275(2), and must present proof that
 1502 coverage is in force on a form adopted by the Department of
 1503 Highway Safety and Motor Vehicles, such proof to be maintained
 1504 for 3 years.

1505 Section 30. Paragraph (g) of subsection (3) of section
 1506 627.311, Florida Statutes, is amended to read:

1507 627.311 Joint underwriters and joint reinsurers; public
 1508 records and public meetings exemptions.—

1509 (3) The office may, after consultation with insurers
 1510 licensed to write automobile insurance in this state, approve a
 1511 joint underwriting plan for purposes of equitable apportionment
 1512 or sharing among insurers of automobile liability insurance and
 1513 other motor vehicle insurance, as an alternate to the plan
 1514 required in s. 627.351(1). All insurers authorized to write
 1515 automobile insurance in this state shall subscribe to the plan
 1516 and participate therein. The plan shall be subject to continuous
 1517 review by the office which may at any time disapprove the entire
 1518 plan or any part thereof if it determines that conditions have
 1519 changed since prior approval and that in view of the purposes of
 1520 the plan changes are warranted. Any disapproval by the office
 1521 shall be subject to the provisions of chapter 120. The Florida
 1522 Automobile Joint Underwriting Association is created under the
 1523 plan. The plan and the association:

1524 (g) Must make available ~~noncancelable~~ coverage as provided
 1525 in s. 627.7275(2).

1526 Section 31. Subsection (1) of section 627.351, Florida
 1527 Statutes, is amended to read:
 1528 627.351 Insurance risk apportionment plans.—
 1529 (1) MOTOR VEHICLE INSURANCE RISK APPORTIONMENT.—Agreements
 1530 may be made among casualty and surety insurers with respect to
 1531 the equitable apportionment among them of insurance that ~~which~~
 1532 may be afforded applicants who are in good faith entitled to,
 1533 but are unable to, procure such insurance through ordinary
 1534 methods, and such insurers may agree among themselves on the use
 1535 of reasonable rate modifications for such insurance. Such
 1536 agreements and rate modifications are ~~shall be~~ subject to the
 1537 approval of the office. The office shall, after consultation
 1538 with the insurers licensed to write automobile liability
 1539 insurance in this state, adopt a reasonable plan or plans for
 1540 the equitable apportionment among such insurers of applicants
 1541 for such insurance who are in good faith entitled to, but are
 1542 unable to, procure such insurance through ordinary methods, and,
 1543 when such plan has been adopted, all such insurers shall
 1544 subscribe to and participate in the plan ~~thereto and shall~~
 1545 ~~participate therein~~. Such plan or plans shall include rules for
 1546 classification of risks and rates therefor. The plan or plans
 1547 shall make available ~~noncancelable~~ coverage as provided in s.
 1548 627.7275(2). Any insured placed with the plan must ~~shall~~ be
 1549 notified of the fact that insurance coverage is being afforded
 1550 through the plan and not through the private market, and such

1551 notification must ~~shall~~ be given in writing within 10 days of
1552 such placement. To ensure ~~assure~~ that plan rates are made
1553 adequate to pay claims and expenses, insurers shall develop a
1554 means of obtaining loss and expense experience at least
1555 annually, and the plan shall file such experience, when
1556 available, with the office in sufficient detail to make a
1557 determination of rate adequacy. Before ~~Prior to~~ the filing of
1558 such experience with the office, the plan shall poll each member
1559 insurer as to the need for an actuary who is a member of the
1560 Casualty Actuarial Society and who is not affiliated with the
1561 plan's statistical agent to certify the plan's rate adequacy. If
1562 a majority of those insurers responding indicate a need for such
1563 certification, the plan must ~~shall~~ include the certification as
1564 part of its experience filing. Such experience must ~~shall~~ be
1565 filed with the office not more than 9 months following the end
1566 of the annual statistical period under review, together with a
1567 rate filing based on such ~~said~~ experience. The office shall
1568 initiate proceedings to disapprove the rate and so notify the
1569 plan or shall finalize its review within 60 days after ~~of~~
1570 receipt of the filing. Notification to the plan by the office of
1571 its preliminary findings, which include a point of entry to the
1572 plan pursuant to chapter 120, tolls ~~shall toll~~ the 60-day period
1573 during any such proceedings and subsequent judicial review. The
1574 rate is ~~shall be~~ deemed approved if the office does not issue
1575 notice to the plan of its preliminary findings within 60 days

1576 after ~~of~~ the filing. In addition to provisions for claims and
1577 expenses, the ratemaking formula must ~~shall~~ include a factor for
1578 projected claims trending and 5 percent for contingencies. ~~In no~~
1579 ~~instance shall~~ The formula may not include a renewal discount
1580 for plan insureds. However, the plan shall reunderwrite each
1581 insured on an annual basis, based upon all applicable rating
1582 factors approved by the office. Trend factors may ~~shall~~ not be
1583 found to be inappropriate if they are not in excess of trend
1584 factors normally used in the development of residual market
1585 rates by the appropriate licensed rating organization. Each
1586 application for coverage in the plan must ~~shall~~ include, in
1587 boldfaced 12-point type immediately preceding the applicant's
1588 signature, the following statement:

1589 "THIS INSURANCE IS BEING AFFORDED THROUGH THE FLORIDA JOINT
1590 UNDERWRITING ASSOCIATION AND NOT THROUGH THE PRIVATE MARKET.
1591 PLEASE BE ADVISED THAT COVERAGE WITH A PRIVATE INSURER MAY BE
1592 AVAILABLE FROM ANOTHER AGENT AT A LOWER COST. AGENT AND COMPANY
1593 LISTINGS ARE AVAILABLE IN THE LOCAL YELLOW PAGES."

1594 The plan shall annually report to the office the number and
1595 percentage of plan insureds who are not surcharged due to their
1596 driving record.

1597 Section 32. Paragraph (b) of subsection (2) of section
1598 627.7275, Florida Statutes, is amended to read:

1599 627.7275 Motor vehicle liability.—

1600 (2)

1601 (b) The policies described in paragraph (a) shall be
1602 issued for at least 6 months and, ~~as to the minimum coverages~~
1603 ~~required under this section, may not be canceled by the insured~~
1604 ~~for any reason or by the insurer after 60 days, during which~~
1605 ~~period the insurer is completing the underwriting of the policy.~~
1606 After the insurer has issued ~~completed underwriting~~ the policy,
1607 the insurer shall notify the Department of Highway Safety and
1608 Motor Vehicles that the policy is in full force and effect ~~and~~
1609 ~~is not cancelable for the remainder of the policy period. A~~
1610 ~~premium shall be collected and the coverage is in effect for the~~
1611 ~~60-day period during which the insurer is completing the~~
1612 ~~underwriting of the policy whether or not the person's driver~~
1613 ~~license, motor vehicle tag, and motor vehicle registration are~~
1614 ~~in effect. Once the noncancelable provisions of the policy~~
1615 becomes ~~become~~ effective, the coverages for bodily injury,
1616 property damage, and personal injury protection may not be
1617 reduced below the minimum limits required under s. 324.021 or s.
1618 324.023 during the policy period.

1619 Section 33. Except as otherwise expressly provided in this
1620 act, this act shall take effect July 1, 2023.