

## ENROLLED

CS/CS/HB 1223, Engrossed 2

2012 Legislature

1  
2 An act relating to highway safety and motor vehicles;  
3 amending s. 20.24, F.S.; renaming the Office of Motor  
4 Carrier Compliance within the Division of the Florida  
5 Highway Patrol as the "Office of Commercial Vehicle  
6 Enforcement"; amending s. 316.003, F.S.; revising the  
7 definition of the term "motor vehicle" to exclude  
8 swamp buggies; defining the term "swamp buggy";  
9 amending s. 316.0083, F.S.; providing for the  
10 dismissal of a uniform traffic citation for failure to  
11 stop at a red light when the motor vehicle owner is  
12 deceased and an affidavit with specified supporting  
13 documents is filed with the issuing agency; amending  
14 s. 316.1303, F.S.; authorizing a person who is  
15 mobility impaired to use a motorized wheelchair to  
16 temporarily leave the sidewalk and use the roadway  
17 under certain circumstances; authorizing a law  
18 enforcement officer to issue only a verbal warning to  
19 such person; amending s. 316.183, F.S.; revising a  
20 provision that prohibits a school bus from exceeding  
21 the posted speed limits; amending s. 316.2065, F.S.;  
22 revising safety standard requirements for bicycle  
23 helmets that must be worn by certain riders and  
24 passengers; revising requirements for a bicycle  
25 operator to ride in a bicycle lane or along the curb  
26 or edge of the roadway; providing for enforcement of  
27 requirements for bicycle lighting equipment; providing  
28 penalties for violations; providing for dismissal of

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29 | the charge following a first offense under certain  
30 | circumstances; amending s. 316.2085, F.S.; requiring  
31 | that the license tag of a motorcycle or moped remain  
32 | clearly visible from the rear at all times;  
33 | prohibiting deliberate acts to conceal or obscure the  
34 | license tag; removing a condition for a motorcycle or  
35 | moped license plate that reads from top to bottom to  
36 | be affixed perpendicular to the ground; requiring that  
37 | owners or operators of motorcycles or mopeds with  
38 | vertical tags pay any required toll by whatever means  
39 | available; providing penalties; amending s. 316.2126,  
40 | F.S.; authorizing municipalities to use golf carts and  
41 | utility vehicles to cross the State Highway System and  
42 | operate on sidewalks adjacent to state highways under  
43 | certain circumstances; creating s. 316.2129, F.S.;  
44 | authorizing the operation of swamp buggies on a public  
45 | road, highway, or street if a local governmental  
46 | entity has designated the public road, highway, or  
47 | street for such use; providing that the authorization  
48 | does not apply to the State Highway System;  
49 | authorizing the operation of swamp buggies on land  
50 | managed, owned, or leased by a state or federal  
51 | agency; amending s. 316.2397, F.S.; providing an  
52 | exception to the prohibition against flashing vehicle  
53 | lights for motorists who intermittently flash the  
54 | vehicle's headlamps at an oncoming vehicle, regardless  
55 | of the intent in doing so, and for persons operating  
56 | bicycles equipped with lamps; amending s. 316.302,

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57 | F.S.; requiring owners or drivers of commercial motor  
58 | vehicles that are engaged in intrastate commerce to be  
59 | subject to specified federal rules and regulations as  
60 | such rules and regulations existed on a certain date;  
61 | providing that certain restrictions on the number of  
62 | consecutive hours that a commercial motor vehicle may  
63 | operate do not apply to a farm labor vehicle operated  
64 | during a state of emergency or during an emergency  
65 | pertaining to agriculture; correcting terminology;  
66 | amending s. 316.3026, F.S., relating to unlawful  
67 | operation of motor carriers; conforming provisions to  
68 | changes made by the act; amending s. 316.613, F.S.,  
69 | relating to requirements for the operator of a vehicle  
70 | to use child restraints; providing that such  
71 | provisions do not apply to certain for-hire vehicles;  
72 | providing for the obligation of a parent, guardian, or  
73 | other person responsible for a child's welfare to  
74 | comply with the requirements; amending s. 316.6135,  
75 | F.S.; revising the criteria under which a child may  
76 | not be left unattended in a vehicle; providing  
77 | penalties; amending s. 316.655, F.S.; providing that a  
78 | driver convicted of a violation of certain offenses  
79 | relating to motor vehicles which resulted in an  
80 | accident may have his or her driving privileges  
81 | revoked or suspended; amending s. 318.14, F.S.;  
82 | authorizing a person who does not hold a commercial  
83 | driver license and who is cited for a noncriminal  
84 | traffic infraction while driving a noncommercial motor

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85 | vehicle to elect to attend a basic driver improvement  
86 | course in lieu of a court appearance; authorizing a  
87 | person who does not hold a commercial driver license  
88 | and who is cited for certain offenses while driving a  
89 | noncommercial motor vehicle to elect to enter a plea  
90 | of nolo contendere and to provide proof of compliance  
91 | in lieu of payment of fine or court appearance;  
92 | amending s. 318.15, F.S.; providing that a person  
93 | charged with a traffic infraction may request a  
94 | hearing within a specified period after the date upon  
95 | which the violation occurred; requiring that the clerk  
96 | set the case for hearing; providing exceptions to the  
97 | time period for requesting a hearing; authorizing the  
98 | court to grant a request for a hearing made after the  
99 | time period has expired; amending ss. 318.18 and  
100 | 318.21, F.S., relating to penalties and disposition of  
101 | penalties; conforming cross-references; amending s.  
102 | 319.14, F.S.; prohibiting the sale or exchange of  
103 | custom vehicles or street rod vehicles under certain  
104 | conditions; providing definitions; amending s. 319.23,  
105 | F.S.; requiring that the application for a certificate  
106 | of title, corrected certificate, or assignment or  
107 | reassignment be filed within a certain time period  
108 | after the consummation of the sale of a mobile home;  
109 | authorizing the department to accept a bond and  
110 | affidavit if the applicant for a certificate of title  
111 | is unable to provide a title that assigns the prior  
112 | owner's interest in the motor vehicle; providing

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113 requirements for the bond and the affidavit; providing  
114 that an interested person has a right to recover on  
115 the bond; limiting liability to the amount of the  
116 bond; providing for future expiration of the bond;  
117 amending s. 319.24, F.S.; requiring that the  
118 department electronically transmit a lien to the first  
119 lienholder and notify the first lienholder of any  
120 additional liens if there are one or more lien  
121 encumbrances on a motor vehicle or mobile home;  
122 requiring that subsequent lien satisfactions be  
123 transmitted electronically to the department; amending  
124 s. 319.27, F.S.; requiring that the department  
125 establish and administer an electronic titling  
126 program; requiring the electronic recording of vehicle  
127 title information for new, transferred, and corrected  
128 certificates of title; requiring that lienholders  
129 electronically transmit liens and lien satisfactions  
130 to the department; providing exceptions; amending s.  
131 319.28, F.S.; providing that a dealer of certain  
132 industrial equipment is not subject to licensure as a  
133 recovery agent or agency under certain conditions;  
134 amending to s. 319.30, F.S.; authorizing the  
135 department to adopt rules to implement an electronic  
136 system for issuing salvage certificates of title and  
137 certificates of destruction; amending s. 319.40, F.S.;  
138 authorizing the department to issue an electronic  
139 certificate of title in lieu of printing a paper title  
140 and to collect electronic mail addresses and use

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141 | electronic mail as a notification method in lieu of  
142 | the United States Postal Service; providing an  
143 | exception; amending s. 320.01, F.S.; revising the  
144 | definition of the term "motor vehicle" to exclude  
145 | special mobile equipment and swamp buggies; defining  
146 | the term "swamp buggy"; amending s. 320.02, F.S.;  
147 | providing that an active duty member of the Armed  
148 | Forces of the United States is exempt from the  
149 | requirement to provide an address on an application  
150 | for vehicle registration; revising provisions relating  
151 | to the registration of a motor carrier who operates a  
152 | commercial motor vehicle without liability insurance,  
153 | a surety bond, or a valid self-insurance certificate;  
154 | providing that the registration shall be canceled on  
155 | the expiration date noted in the cancellation notice  
156 | that the department receives from the insurer;  
157 | requiring that the insurer provide notice to the  
158 | department at the same time the cancellation notice is  
159 | provided to the insured; authorizing the department to  
160 | adopt rules regarding the electronic submission of the  
161 | cancellation notice; removing a provision that  
162 | prohibits cancellation of liability insurance or  
163 | surety bond on less than 30 days' notice to the  
164 | department; requiring the application forms for motor  
165 | vehicle registration and renewal of registration to  
166 | include language permitting the applicant to make  
167 | certain voluntary contributions to specified not-for-  
168 | profit entities; providing that such contributions are

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169 | not income for specified purposes; requiring that the  
 170 | department retain all electronic registration records  
 171 | for a specified period; amending s. 320.03, F.S.;  
 172 | conforming a cross-reference; amending s. 320.06,  
 173 | F.S.; authorizing the department to conduct a pilot  
 174 | program to evaluate the designs, concepts, and  
 175 | technologies for alternative license plates; requiring  
 176 | that the department investigate the feasibility and  
 177 | use of alternative license plate technologies and the  
 178 | long-term cost impact to the consumer for purposes of  
 179 | the pilot program; requiring limiting the scope of the  
 180 | pilot program to license plates that are used on  
 181 | government-owned motor vehicles; providing an  
 182 | exemption for such license plates from certain  
 183 | requirements; providing that license plates issued  
 184 | under ch. 320, F.S., are the property of the state;  
 185 | amending s. 320.0605, F.S.; revising provisions  
 186 | relating to a requirement that rental or lease  
 187 | documentation be in the possession of an operator of a  
 188 | motor vehicle; providing specified information  
 189 | sufficient to satisfy this requirement; amending s.  
 190 | 320.061, F.S.; prohibiting a person from altering the  
 191 | original appearance of a temporary license plate;  
 192 | amending s. 320.07, F.S.; revising provisions relating  
 193 | to the expiration of a registration of a motor vehicle  
 194 | or mobile home; providing that the registration for a  
 195 | motor vehicle or mobile home whose owner is a natural  
 196 | person expires at midnight on the owner's birthday;

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197 | amending s. 320.08056, F.S.; prohibiting the use of  
 198 | funds derived from the specialty license plate program  
 199 | from being used to lobby elected members or employees  
 200 | of the Legislature; amending s. 320.08058, F.S.;  
 201 | providing that up to 15 percent of the proceeds from  
 202 | the annual use fees for the Florida Golf license plate  
 203 | may be used by the Dade Amateur Golf Association for  
 204 | the administration of the Florida Junior Golf Program;  
 205 | amending s. 320.08068, F.S.; revising provisions  
 206 | relating to the use of funds received from the sale of  
 207 | motorcycle specialty license plates; deleting a  
 208 | provision that requires that 20 percent of the annual  
 209 | fee collected for such plates be used to leverage  
 210 | additional funding and new sources of revenue for the  
 211 | centers for independent living; amending s. 320.0807,  
 212 | F.S.; revising provisions for special license plates  
 213 | for the Governor and federal and state legislators;  
 214 | providing for issuance of special plates for former  
 215 | federal and state legislators; providing a one-time  
 216 | fee; providing for distribution of the fee;  
 217 | authorizing the department to create a unique plate  
 218 | design for plates to be used by members or former  
 219 | members of the Legislature or Congress under specified  
 220 | provisions; amending s. 320.0848, F.S.; revising the  
 221 | requirements for the deposit of fee proceeds from  
 222 | temporary disabled parking permits; requiring that  
 223 | certain proceeds be deposited into the Florida  
 224 | Endowment Foundation for Vocational Rehabilitation,



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225 | instead of the Florida Governor's Alliance for the  
 226 | Employment of Disabled Citizens; amending s. 320.089,  
 227 | F.S.; providing for the issuance of a Combat Infantry  
 228 | Badge license plate and a Vietnam War Veterans license  
 229 | plate; providing qualifications and requirements for  
 230 | the plate; amending s. 320.13, F.S.; authorizing a  
 231 | dealer of heavy trucks, upon payment of a license tax,  
 232 | to secure one or more dealer license plates under  
 233 | certain circumstances; providing that the license  
 234 | plates may be used for demonstration purposes for a  
 235 | specified period; requiring that the license plates be  
 236 | validated on a form prescribed by the department and  
 237 | be retained in the vehicle being operated; amending s.  
 238 | 320.15, F.S.; providing that an owner of a motor  
 239 | vehicle or mobile home may apply for a refund of  
 240 | certain license taxes if the owner renews a  
 241 | registration during the advanced renewal period and  
 242 | surrenders the motor vehicle or mobile home license  
 243 | plate before the end of the renewal period; amending  
 244 | s. 320.27, F.S.; providing an exemption for salvage  
 245 | motor vehicle dealers from certain application and  
 246 | security requirements; amending s. 320.771, F.S.;  
 247 | revising the definition of the term "dealer"; amending  
 248 | s. 320.95, F.S.; authorizing the department to collect  
 249 | electronic mail addresses and use electronic mail for  
 250 | the purpose of providing renewal notices in lieu of  
 251 | the United States Postal Service; amending s. 322.04,  
 252 | F.S.; revising provisions exempting a nonresident from

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253 | the requirement to obtain a driver license under  
254 | certain circumstances; amending s. 322.051, F.S.;  
255 | revising requirements by which an applicant for an  
256 | identification card may prove nonimmigrant  
257 | classification; clarifying the validity of an  
258 | identification card based on specified documents;  
259 | authorizing the department to require additional  
260 | documentation to establish the maintenance of, or  
261 | efforts to maintain, continuous lawful presence;  
262 | providing for the department to waive the fees for  
263 | issuing or renewing an identification card to a person  
264 | who is homeless; amending s. 322.058, F.S.; conforming  
265 | a cross-reference; amending s. 322.065, F.S.; revising  
266 | provisions relating to a person whose driver license  
267 | has expired for 6 months or less and who drives a  
268 | motor vehicle; amending s. 322.07, F.S.; revising  
269 | provisions relating to temporary commercial  
270 | instruction permits; amending s. 322.08, F.S.;  
271 | revising provisions relating to an application for a  
272 | driver license or temporary permit; requiring that  
273 | applicants prove nonimmigrant classification by  
274 | providing certain documentation; authorizing the  
275 | department to require additional documentation to  
276 | establish the maintenance of, or efforts to maintain,  
277 | continuous lawful presence; revising the length of  
278 | time a license is valid when issuance is based on  
279 | documentation required under specified provisions;  
280 | requiring the application forms for an original,

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281 renewal, or replacement driver license to include  
282 language permitting the applicant to make certain  
283 voluntary contributions to specified not-for-profit  
284 entities;; authorizing the department to collect  
285 electronic mail addresses and use electronic mail for  
286 the purpose of providing renewal notices in lieu of  
287 the United States Postal Service; amending s. 322.121,  
288 F.S.; conforming a provision relating to Safe Driver  
289 designation; revising provisions authorizing the  
290 automatic extension of a license for members of the  
291 Armed Forces of the United States or their dependents  
292 while serving on active duty outside the state;  
293 amending s. 322.14, F.S.; deleting a requirement that  
294 a qualified driver license applicant appear in person  
295 for issuance of a color photographic or digital imaged  
296 driver license; creating s. 322.1415, F.S.;

297 authorizing the department to issue a specialty driver  
298 license or identification card to qualified  
299 applicants; specifying that, at a minimum, the  
300 specialty driver licenses and identification cards  
301 must be available for certain state and independent  
302 universities and professional sports teams and all of  
303 the branches of the Armed Forces of the United States;  
304 requiring that the department approve the design of  
305 each specialty driver license and identification card;  
306 providing for future expiration; amending s. 322.142,  
307 F.S.; providing district medical examiners access to  
308 driver information maintained in the Driver and

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309 Vehicle Information Database for a specified purpose;  
310 amending s. 322.19, F.S.; providing that certain  
311 persons who have a valid student identification card  
312 are presumed not to have changed their legal residence  
313 or mailing address; amending s. 322.21, F.S.;

314 providing for the distribution of funds collected from  
315 the specialty driver license and identification card  
316 fees; amending s. 322.251, F.S.; providing that  
317 certain notices of cancellation, suspension,  
318 revocation, or disqualification of a driver license  
319 are complete within a specified period after deposit  
320 in the mail; amending s. 322.27, F.S.; revising the  
321 department's authority to suspend or revoke licenses  
322 or identification cards under certain circumstances;

323 repealing s. 322.292(5), F.S., relating to private  
324 probation services providers referring probationers to  
325 any DUI program owned in whole or in part by that  
326 probation services provider or its affiliates;

327 amending s. 322.53, F.S.; revising an exemption from  
328 the requirement to obtain a commercial driver license  
329 for farmers transporting agricultural products, farm  
330 supplies, or farm machinery under certain  
331 circumstances; providing that such exemption applies  
332 if the vehicle is not used in the operations of a  
333 common or contract motor carrier; amending s. 322.54,  
334 F.S.; requiring that persons who drive a motor vehicle  
335 having a gross vehicle weight rating or gross vehicle  
336 weight of a specified amount or more possess certain

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337 | classifications of driver licenses; repealing s.  
 338 | 322.58, F.S., relating to holders of chauffeur  
 339 | licenses and the classified licensure of commercial  
 340 | motor vehicle drivers; amending s. 322.59, F.S.;  
 341 | revising provisions relating to the possession of a  
 342 | medical examiner's certificate; requiring that the  
 343 | department disqualify a driver from operating a  
 344 | commercial motor vehicle if the driver holds a  
 345 | commercial driver license and fails to comply with the  
 346 | medical certification requirements; authorizing the  
 347 | department to issue, under certain circumstances, a  
 348 | Class E driver license to a person who is disqualified  
 349 | from operating a commercial motor vehicle; amending s.  
 350 | 322.61, F.S.; revising provisions relating to the  
 351 | disqualification from operating a commercial motor  
 352 | vehicle; providing that any holder of a commercial  
 353 | driver license who is convicted of two violations  
 354 | committed while operating any motor vehicle is  
 355 | permanently disqualified from operating a commercial  
 356 | motor vehicle; amending s. 324.072, F.S.; prohibiting  
 357 | the department from suspending a registration of a  
 358 | motor vehicle if the person to whom the motor vehicle  
 359 | is registered had certain limits on the date of the  
 360 | offense that caused the suspension or revocation;  
 361 | amending s. 324.091, F.S.; revising the period within  
 362 | which an owner or operator involved in a crash must  
 363 | furnish evidence of automobile liability insurance,  
 364 | motor vehicle liability insurance, or surety bond;

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365 | amending s. 328.15, F.S.; requiring that the  
366 | department establish and administer an electronic  
367 | titling program that requires the recording of vessel  
368 | title information for new, transferred, and corrected  
369 | certificates of title; requiring that lienholders  
370 | electronically transmit liens and lien satisfactions  
371 | to the department; providing exceptions; amending s.  
372 | 328.16, F.S.; requiring that the department  
373 | electronically transmit a lien to the first lienholder  
374 | and notify such lienholder of any additional liens;  
375 | requiring that subsequent lien satisfactions be  
376 | electronically transmitted to the department; amending  
377 | s. 328.30, F.S.; authorizing the department to issue  
378 | an electronic certificate of title in lieu of printing  
379 | a paper title; authorizing the department to collect  
380 | electronic mail addresses and use electronic mail for  
381 | the purpose of providing renewal notices in lieu of  
382 | the United States Postal Service; amending s. 520.32,  
383 | F.S.; providing an exemption to specified licensing  
384 | requirements for motor vehicle dealers licensed under  
385 | specified provisions; providing for application of the  
386 | exemption; amending s. 713.78, F.S.; conforming a  
387 | cross-reference; amending s. 316.271, F.S.; removing a  
388 | prohibition on using the audible horn of a motor  
389 | vehicle on a highway; amending s. 323.002, F.S.;  
390 | requiring unauthorized wrecker operators to disclose a  
391 | fee schedule and certain information; amending ss.  
392 | 316.0083 and 318.18, F.S.; revising provisions

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393 relating to the deposit of funds from traffic  
 394 infractions; correcting references to a trust fund;  
 395 providing effective dates.

396  
 397 Be It Enacted by the Legislature of the State of Florida:

398  
 399 Section 1. Subsection (3) of section 20.24, Florida  
 400 Statutes, is amended to read:

401 20.24 Department of Highway Safety and Motor Vehicles.—  
 402 There is created a Department of Highway Safety and Motor  
 403 Vehicles.

404 (3) The Office of Commercial Vehicle Enforcement ~~Motor~~  
 405 ~~Carrier Compliance~~ is established within the Division of the  
 406 Florida Highway Patrol.

407 Section 2. Subsection (21) of section 316.003, Florida  
 408 Statutes, is amended, and subsection (89) is added to that  
 409 section, to read:

410 316.003 Definitions.—The following words and phrases, when  
 411 used in this chapter, shall have the meanings respectively  
 412 ascribed to them in this section, except where the context  
 413 otherwise requires:

414 (21) MOTOR VEHICLE.—A ~~Any~~ self-propelled vehicle not  
 415 operated upon rails or guideway, but not including any bicycle,  
 416 motorized scooter, electric personal assistive mobility device,  
 417 swamp buggy, or moped.

418 (89) SWAMP BUGGY.—A motorized off-road vehicle that is  
 419 designed or modified to travel over swampy or varied terrain and  
 420 that may use large tires or tracks operated from an elevated

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421 platform. The term does not include any vehicle defined in  
 422 chapter 261 or otherwise defined or classified in this chapter.

423 Section 3. Paragraph (d) of subsection (1) of section  
 424 316.0083, Florida Statutes, is amended to read:

425 316.0083 Mark Wandall Traffic Safety Program;  
 426 administration; report.-

427 (1)

428 (d)1. The owner of the motor vehicle involved in the  
 429 violation is responsible and liable for paying the uniform  
 430 traffic citation issued for a violation of s. 316.074(1) or s.  
 431 316.075(1)(c)1. when the driver failed to stop at a traffic  
 432 signal, unless the owner can establish that:

433 a. The motor vehicle passed through the intersection in  
 434 order to yield right-of-way to an emergency vehicle or as part  
 435 of a funeral procession;

436 b. The motor vehicle passed through the intersection at  
 437 the direction of a law enforcement officer;

438 c. The motor vehicle was, at the time of the violation, in  
 439 the care, custody, or control of another person; or

440 d. A uniform traffic citation was issued by a law  
 441 enforcement officer to the driver of the motor vehicle for the  
 442 alleged violation of s. 316.074(1) or s. 316.075(1)(c)1.

443 e. The motor vehicle's owner was deceased on or before the  
 444 date that the uniformed traffic citation was issued, as  
 445 established by an affidavit submitted by the representative of  
 446 the motor vehicle owner's estate or other designated person or  
 447 family member.

448 2. In order to establish such facts, the owner of the



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449 motor vehicle shall, within 30 days after the date of issuance  
 450 of the traffic citation, furnish to the appropriate governmental  
 451 entity an affidavit setting forth detailed information  
 452 supporting an exemption as provided in this paragraph.

453 a. An affidavit supporting an exemption under sub-  
 454 subparagraph 1.c. must include the name, address, date of birth,  
 455 and, if known, the driver ~~driver's~~ license number of the person  
 456 who leased, rented, or otherwise had care, custody, or control  
 457 of the motor vehicle at the time of the alleged violation. If  
 458 the vehicle was stolen at the time of the alleged offense, the  
 459 affidavit must include the police report indicating that the  
 460 vehicle was stolen.

461 b. If a traffic citation for a violation of s. 316.074(1)  
 462 or s. 316.075(1)(c)1. was issued at the location of the  
 463 violation by a law enforcement officer, the affidavit must  
 464 include the serial number of the uniform traffic citation.

465 c. If the motor vehicle's owner to whom a traffic citation  
 466 has been issued is deceased, the affidavit must include a  
 467 certified copy of the owner's death certificate showing that the  
 468 date of death occurred on or before the issuance of the uniform  
 469 traffic citation and one of the following:

470 (I) A bill of sale or other document showing that the  
 471 deceased owner's motor vehicle was sold or transferred after his  
 472 or her death, but on or before the date of the alleged  
 473 violation;

474 (II) Documentary proof that the registered license plate  
 475 belonging to the deceased owner's vehicle was turned into the  
 476 department or agent of the department, but on or before the date

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477 of the alleged violation; or  
 478 (III) A copy of a police report showing that the deceased  
 479 owner's registered license plate or motor vehicle was stolen  
 480 after the owner's death, but on or before the date of the  
 481 alleged violation.

482  
 483 Upon receipt of the affidavit and documentation required under  
 484 this sub-subparagraph, the governmental entity must dismiss the  
 485 citation and provide proof of the dismissal to the person that  
 486 submitted the affidavit.

487 3. Upon receipt of an affidavit, the person designated as  
 488 having care, custody, and control of the motor vehicle at the  
 489 time of the violation may be issued a traffic citation for a  
 490 violation of s. 316.074(1) or s. 316.075(1)(c)1. when the driver  
 491 failed to stop at a traffic signal. The affidavit is admissible  
 492 in a proceeding pursuant to this section for the purpose of  
 493 providing proof that the person identified in the affidavit was  
 494 in actual care, custody, or control of the motor vehicle. The  
 495 owner of a leased vehicle for which a traffic citation is issued  
 496 for a violation of s. 316.074(1) or s. 316.075(1)(c)1. when the  
 497 driver failed to stop at a traffic signal is not responsible for  
 498 paying the traffic citation and is not required to submit an  
 499 affidavit as specified in this subsection if the motor vehicle  
 500 involved in the violation is registered in the name of the  
 501 lessee of such motor vehicle.

502 4. The submission of a false affidavit is a misdemeanor of  
 503 the second degree, punishable as provided in s. 775.082 or s.  
 504 775.083.

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505 Section 4. Section 316.1303, Florida Statutes, is amended  
 506 to read:

507 316.1303 Traffic regulations to assist mobility-impaired  
 508 persons.—

509 (1) Whenever a pedestrian who is mobility impaired is in  
 510 the process of crossing a public street or highway with the  
 511 assistance of and the pedestrian is mobility impaired (using a  
 512 guide dog or service animal designated as such with a visible  
 513 means of identification, a walker, a crutch, an orthopedic cane,  
 514 or a wheelchair), the driver of a every vehicle approaching the  
 515 intersection, as defined in s. 316.003(17), shall bring his or  
 516 her vehicle to a full stop before arriving at the such  
 517 intersection and, before proceeding, shall take such precautions  
 518 as may be necessary to avoid injuring the such pedestrian.

519 (2) A person who is mobility impaired and who is using a  
 520 motorized wheelchair on a sidewalk may temporarily leave the  
 521 sidewalk and use the roadway to avoid a potential conflict, if  
 522 no alternative route exists. A law enforcement officer may issue  
 523 only a verbal warning to such person.

524 (3) A person who is convicted of a violation of subsection  
 525 (1) this section shall be punished as provided in s. 318.18(3).

526 Section 5. Subsection (3) of section 316.183, Florida  
 527 Statutes, is amended to read:

528 316.183 Unlawful speed.—

529 (3) A No school bus may not shall exceed the posted speed  
 530 limits, not to exceed 55 miles per hour at any time.

531 Section 6. Effective October 1, 2012, paragraph (d) of  
 532 subsection (3) and subsections (5) and (8) of section 316.2065,

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533 Florida Statutes, are amended to read:

534 316.2065 Bicycle regulations.—

535 (3)

536 (d) A bicycle rider or passenger who is under 16 years of  
 537 age must wear a bicycle helmet that is properly fitted and is  
 538 fastened securely upon the passenger's head by a strap, and that  
 539 meets the federal safety standard for bicycle helmets, final  
 540 rule, 16 C.F.R. part 1203. A helmet purchased before October 1,  
 541 2012, which meets the standards of the American National  
 542 Standards Institute (ANSI Z 90.4 Bicycle Helmet Standards), the  
 543 standards of the Snell Memorial Foundation (1984 Standard for  
 544 Protective Headgear for Use in Bicycling), or any other  
 545 nationally recognized standards for bicycle helmets adopted by  
 546 the department may continue to be worn by a bicycle rider or  
 547 passenger until January 1, 2016. As used in this subsection, the  
 548 term "passenger" includes a child who is riding in a trailer or  
 549 semitrailer attached to a bicycle.

550 (5) (a) Any person operating a bicycle upon a roadway at  
 551 less than the normal speed of traffic at the time and place and  
 552 under the conditions then existing shall ride in the lane marked  
 553 for bicycle use or, if no lane is marked for bicycle use, as  
 554 close as practicable to the right-hand curb or edge of the  
 555 roadway except under any of the following situations:

- 556 1. When overtaking and passing another bicycle or vehicle
- 557 proceeding in the same direction.
- 558 2. When preparing for a left turn at an intersection or
- 559 into a private road or driveway.
- 560 3. When reasonably necessary to avoid any condition or

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561 potential conflict, including, but not limited to, a fixed or  
 562 moving object, parked or moving vehicle, bicycle, pedestrian,  
 563 animal, surface hazard, turn lane, or substandard-width lane,  
 564 which ~~that~~ makes it unsafe to continue along the right-hand curb  
 565 or edge or within a bicycle lane. For the purposes of this  
 566 subsection, a "substandard-width lane" is a lane that is too  
 567 narrow for a bicycle and another vehicle to travel safely side  
 568 by side within the lane.

569 (b) Any person operating a bicycle upon a one-way highway  
 570 with two or more marked traffic lanes may ride as near the left-  
 571 hand curb or edge of such roadway as practicable.

572 (8) Every bicycle in use between sunset and sunrise shall  
 573 be equipped with a lamp on the front exhibiting a white light  
 574 visible from a distance of at least 500 feet to the front and a  
 575 lamp and reflector on the rear each exhibiting a red light  
 576 visible from a distance of 600 feet to the rear. A bicycle or  
 577 its rider may be equipped with lights or reflectors in addition  
 578 to those required by this section. A law enforcement officer may  
 579 issue a bicycle safety brochure and a verbal warning to a  
 580 bicycle rider who violates this subsection or may issue a  
 581 citation and assess a fine for a pedestrian violation as  
 582 provided in s. 318.18. The court shall dismiss the charge  
 583 against a bicycle rider for a first violation of this subsection  
 584 upon proof of purchase and installation of the proper lighting  
 585 equipment.

586 Section 7. Subsection (3) of section 316.2085, Florida  
 587 Statutes, is amended to read:

588 316.2085 Riding on motorcycles or mopeds.—

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589 (3) The license tag of a motorcycle or moped must be  
 590 permanently affixed to the vehicle and remain clearly visible  
 591 from the rear at all times ~~may not be adjusted or capable of~~  
 592 ~~being flipped up.~~ Any deliberate act to conceal or obscure ~~No~~  
 593 ~~device for or method of concealing or obscuring~~ the legibility  
 594 of the license tag of a motorcycle is prohibited ~~shall be~~  
 595 ~~installed or used.~~ The license tag of a motorcycle or moped may  
 596 be affixed horizontally to the ground so that the numbers and  
 597 letters read from left to right. Alternatively, a license tag  
 598 for a motorcycle or moped for which the numbers and letters read  
 599 from top to bottom may be affixed perpendicularly to the ground,  
 600 ~~provided that the registered owner of the motorcycle or moped~~  
 601 ~~maintains a prepaid toll account in good standing and a~~  
 602 ~~transponder associated with the prepaid toll account is affixed~~  
 603 ~~to the motorcycle or moped.~~ Notwithstanding the authorization to  
 604 affix the license tag of a motorcycle or moped perpendicularly  
 605 to the ground, the owner or operator of a motorcycle or moped  
 606 shall pay any required toll pursuant to s. 316.1001 by whatever  
 607 means available.

608 (7) A violation of this section is a noncriminal traffic  
 609 infraction, punishable as a moving violation as provided in  
 610 chapter 318.

611 Section 8. Subsection (1) of section 316.2126, Florida  
 612 Statutes, is amended to read:

613 316.2126 Authorized use of golf carts, low-speed vehicles,  
 614 and utility vehicles.-

615 (1) In addition to the powers granted by ss. 316.212 and  
 616 316.2125, municipalities are authorized to use ~~utilize~~ golf

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617 carts and utility vehicles, as defined in s. 320.01, upon any  
 618 state, county, or municipal roads located within the corporate  
 619 limits of such municipalities, subject to the following  
 620 conditions:

621 (a) Golf carts and utility vehicles must comply with the  
 622 operational and safety requirements in ss. 316.212 and 316.2125,  
 623 and with any more restrictive ordinances enacted by the local  
 624 governmental entity pursuant to s. 316.212(8), and shall be  
 625 operated only by municipal employees for municipal purposes,  
 626 including, but not limited to, police patrol, traffic  
 627 enforcement, and inspection of public facilities.

628 (b) In addition to the safety equipment required in s.  
 629 316.212(6) and any more restrictive safety equipment required by  
 630 the local governmental entity pursuant to s. 316.212(8), such  
 631 golf carts and utility vehicles must be equipped with sufficient  
 632 lighting and turn signal equipment.

633 (c) Golf carts and utility vehicles may be operated only  
 634 on state roads that have a posted speed limit of 30 miles per  
 635 hour or less.

636 (d) Golf carts and utility vehicles may cross a portion of  
 637 the State Highway System which has a posted speed limit of 45  
 638 miles per hour or less only at an intersection with an official  
 639 traffic control device.

640 (e) Golf carts and utility vehicles may operate on  
 641 sidewalks adjacent to state highways only if such golf carts and  
 642 utility vehicles yield to pedestrians and if the sidewalks are  
 643 at least 5 feet wide.

644 Section 9. Section 316.2129, Florida Statutes, is created

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645 to read:

646 316.2129 Operation of swamp buggies on public roads,  
 647 streets, or highways authorized.-

648 (1) A swamp buggy may be operated on a public road,  
 649 street, or highway if the local governmental entity, as defined  
 650 in s. 334.03, having jurisdiction over the public road, street,  
 651 or highway, has designated it for use by swamp buggies. Upon  
 652 determining that swamp buggies may safely operate on or cross  
 653 such public road, street, or highway, the local governmental  
 654 entity shall post appropriate signs or otherwise inform the  
 655 public that the operation of swamp buggies is allowed. This  
 656 authorization does not apply to the State Highway System, as  
 657 defined in s. 334.03. However, a swamp buggy may be operated on  
 658 a part of the State Highway System only to cross that portion of  
 659 the State Highway System which intersects a county road or  
 660 municipal street that has been designated for use by swamp  
 661 buggies if the Department of Transportation has reviewed and  
 662 approved the location and design of the crossing and any traffic  
 663 control devices needed for safety purposes.

664 (2) A swamp buggy may be operated on land managed, owned,  
 665 or leased by a state or federal agency if the state or federal  
 666 agency allows the operation of swamp buggies on such land,  
 667 including any public road, street, or highway running through or  
 668 located within the state or federal land. Upon determining that  
 669 swamp buggies may safely operate on or cross a public road,  
 670 street, or highway running through or located within such land,  
 671 the state or federal agency shall post appropriate signs or  
 672 otherwise inform the public that the operation of swamp buggies



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673 is allowed.

674 Section 10. Subsection (7) of section 316.2397, Florida  
675 Statutes, is amended to read:

676 316.2397 Certain lights prohibited; exceptions.—

677 (7) Flashing lights are prohibited on vehicles except:

678 (a) As a means of indicating a right or left turn, to  
679 change lanes, or to indicate that the vehicle is lawfully  
680 stopped or disabled upon the highway;

681 (b) When a motorist intermittently flashes his or her  
682 vehicle's headlamps at an oncoming vehicle notwithstanding the  
683 motorist's intent for doing so; and ~~or except that~~

684 (c) For the lamps authorized under ~~in~~ subsections (1),  
685 (2), (3), (4), and (9), s. 316.2065, or ~~and~~ s. 316.235(5) which  
686 may ~~are permitted to~~ flash.

687 Section 11. Effective July 1, 2012, paragraph (b) of  
688 subsection (1) and paragraph (c) of subsection (2) of section  
689 316.302, Florida Statutes, are amended to read:

690 316.302 Commercial motor vehicles; safety regulations;  
691 transporters and shippers of hazardous materials; enforcement.—

692 (1)

693 (b) Except as otherwise provided in this section, all  
694 owners or drivers of commercial motor vehicles that are engaged  
695 in intrastate commerce are subject to the rules and regulations  
696 contained in 49 C.F.R. parts 382, 385, and 390-397, with the  
697 exception of 49 C.F.R. s. 390.5 as it relates to the definition  
698 of bus, as such rules and regulations existed on October 1, 2011  
699 2009.

700 (2)

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701 (c) Except as provided in 49 C.F.R. s. 395.1, a person who  
 702 operates a commercial motor vehicle solely in intrastate  
 703 commerce not transporting any hazardous material in amounts that  
 704 require placarding pursuant to 49 C.F.R. part 172 may not drive  
 705 after having been on duty more than 70 hours in any period of 7  
 706 consecutive days or more than 80 hours in any period of 8  
 707 consecutive days if the motor carrier operates every day of the  
 708 week. Thirty-four consecutive hours off duty shall constitute  
 709 the end of any such period of 7 or 8 consecutive days. This  
 710 weekly limit does not apply to a person who operates a  
 711 commercial motor vehicle solely within this state while  
 712 transporting, during harvest periods, any unprocessed  
 713 agricultural products or unprocessed food or fiber that is  
 714 subject to seasonal harvesting from place of harvest to the  
 715 first place of processing or storage or from place of harvest  
 716 directly to market or while transporting livestock, livestock  
 717 feed, or farm supplies directly related to growing or harvesting  
 718 agricultural products. Upon request of the Department of Highway  
 719 Safety and Motor Vehicles ~~Department of Transportation~~, motor  
 720 carriers shall furnish time records or other written  
 721 verification to that department so that the Department of  
 722 Highway Safety and Motor Vehicles ~~Department of Transportation~~  
 723 can determine compliance with this subsection. These time  
 724 records must be furnished to the Department of Highway Safety  
 725 and Motor Vehicles ~~Department of Transportation~~ within 2 days  
 726 after receipt of that department's request. Falsification of  
 727 such information is subject to a civil penalty not to exceed  
 728 \$100. The provisions of this paragraph do not apply to operators

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729 of farm labor vehicles operated during a state of emergency  
 730 declared by the Governor or operated pursuant to s. 570.07(21),  
 731 and do not apply to drivers of utility service vehicles as  
 732 defined in 49 C.F.R. s. 395.2.

733 Section 12. Subsection (1) of section 316.3026, Florida  
 734 Statutes, is amended to read:

735 316.3026 Unlawful operation of motor carriers.—

736 (1) The Office of Commercial Vehicle Enforcement ~~Motor~~  
 737 ~~Carrier Compliance~~ may issue out-of-service orders to motor  
 738 carriers, as defined in s. 320.01(33), who, after proper notice,  
 739 have failed to pay any penalty or fine assessed by the  
 740 department, or its agent, against any owner or motor carrier for  
 741 violations of state law, refused to submit to a compliance  
 742 review and provide records pursuant to s. 316.302(5) or s.  
 743 316.70, or violated safety regulations pursuant to s. 316.302 or  
 744 insurance requirements in s. 627.7415. Such out-of-service  
 745 orders have the effect of prohibiting the operations of any  
 746 motor vehicles owned, leased, or otherwise operated by the motor  
 747 carrier upon the roadways of this state, until the violations  
 748 have been corrected or penalties have been paid. Out-of-service  
 749 orders must be approved by the director of the Division of the  
 750 Florida Highway Patrol or his or her designee. An administrative  
 751 hearing pursuant to s. 120.569 shall be afforded to motor  
 752 carriers subject to such orders.

753 Section 13. Section 316.613, Florida Statutes, is amended  
 754 to read:

755 316.613 Child restraint requirements.—

756 (1) (a) Every operator of a motor vehicle as defined in

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757 this section ~~herein~~, while transporting a child in a motor  
758 vehicle operated on the roadways, streets, or highways of this  
759 state, shall, if the child is 5 years of age or younger, provide  
760 for protection of the child by properly using a crash-tested,  
761 federally approved child restraint device. For children aged  
762 through 3 years, such restraint device must be a separate  
763 carrier or a vehicle manufacturer's integrated child seat. For  
764 children aged 4 through 5 years, a separate carrier, an  
765 integrated child seat, or a seat belt may be used.

766 (b) The department shall provide notice of the requirement  
767 for child restraint devices, which notice shall accompany the  
768 delivery of each motor vehicle license tag.

769 (2) As used in this section, the term "motor vehicle"  
770 means a motor vehicle as defined in s. 316.003 that is operated  
771 on the roadways, streets, and highways of the state. The term  
772 does not include:

773 (a) A school bus as defined in s. 316.003(45).

774 (b) A bus used for the transportation of persons for  
775 compensation, other than a bus regularly used to transport  
776 children to or from school, as defined in s. 316.615(1)(b), or  
777 in conjunction with school activities.

778 (c) A farm tractor or implement of husbandry.

779 (d) A truck having a gross vehicle weight rating of more  
780 than 26,000 pounds.

781 (e) A motorcycle, moped, or bicycle.

782 (3) The failure to provide and use a child passenger  
783 restraint shall not be considered comparative negligence, nor  
784 shall such failure be admissible as evidence in the trial of any

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785 civil action with regard to negligence.

786 (4) It is the legislative intent that all state, county,  
787 and local law enforcement agencies, and safety councils, in  
788 recognition of the problems with child death and injury from  
789 unrestrained occupancy in motor vehicles, conduct a continuing  
790 safety and public awareness campaign as to the magnitude of the  
791 problem.

792 (5) Any person who violates ~~the provisions of~~ this section  
793 commits a moving violation, punishable as provided in chapter  
794 318 and shall have 3 points assessed against his or her driver  
795 ~~driver's~~ license as set forth in s. 322.27. In lieu of the  
796 penalty specified in s. 318.18 and the assessment of points, a  
797 person who violates ~~the provisions of~~ this section may elect,  
798 with the court's approval, to participate in a child restraint  
799 safety program approved by the chief judge of the circuit in  
800 which the violation occurs, and, upon completing such program,  
801 the penalty specified in chapter 318 and associated costs may be  
802 waived at the court's discretion and the assessment of points  
803 shall be waived. The child restraint safety program must use a  
804 course approved by the Department of Highway Safety and Motor  
805 Vehicles, and the fee for the course must bear a reasonable  
806 relationship to the cost of providing the course.

807 (6) The child restraint requirements imposed by this  
808 section do not apply to a chauffeur-driven taxi, limousine,  
809 sedan, van, bus, motor coach, or other passenger vehicle if the  
810 operator and the motor vehicle are hired and used for the  
811 transportation of persons for compensation. It is the obligation  
812 and responsibility of the parent, guardian, or other person

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813 responsible for a child's welfare, as defined in s. 39.01(47),  
 814 to comply with the requirements of this section.

815 Section 14. Section 316.6135, Florida Statutes, is amended  
 816 to read:

817 316.6135 Leaving children unattended or unsupervised in  
 818 motor vehicles; penalty; authority of law enforcement officer.-

819 (1) A parent, legal guardian, or other person responsible  
 820 for a child younger than 6 years of age may not leave the ~~such~~  
 821 child unattended or unsupervised in a motor vehicle:

822 (a) For a period in excess of 15 minutes;

823 (b) For any period of time if the motor of the vehicle is  
 824 running, ~~or~~ the health of the child is in danger, or the child  
 825 appears to be in distress.

826 (2) Any person who violates the provisions of paragraph  
 827 (1)(a) commits a misdemeanor of the second degree punishable as  
 828 provided in s. 775.082 or s. 775.083.

829 (3) Any person who violates the provisions of paragraph  
 830 (1)(b) is guilty of a noncriminal traffic infraction, punishable  
 831 by a fine not less than \$50 and not more than \$500.

832 (4) Any person who violates subsection (1) and in so doing  
 833 causes great bodily harm, permanent disability, or permanent  
 834 disfigurement to a child commits a felony of the third degree,  
 835 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

836 (5) Any law enforcement officer who observes a child left  
 837 unattended or unsupervised in a motor vehicle in violation of  
 838 subsection (1) may use whatever means are reasonably necessary  
 839 to protect the minor child and to remove the child from the  
 840 vehicle.

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841 (6) If the child is removed from the immediate area,  
842 notification should be placed on the vehicle.

843 (7) The child shall be remanded to the custody of the  
844 Department of Children and Family Services pursuant to chapter  
845 39, unless the law enforcement officer is able to locate the  
846 parents or legal guardian or other person responsible for the  
847 child.

848 Section 15. Subsection (2) of section 316.655, Florida  
849 Statutes, is amended to read:

850 316.655 Penalties.—

851 (2) A driver ~~Drivers~~ convicted of a violation of any  
852 offense prohibited by this chapter or any other law of this  
853 state regulating motor vehicles, which resulted in an accident,  
854 may have his or her ~~their~~ driving privileges revoked or  
855 suspended by the court if the court finds such revocation or  
856 suspension warranted by the totality of the circumstances  
857 resulting in the conviction and the need to provide for the  
858 maximum safety for all persons who travel on or who are  
859 otherwise affected by the use of the highways of the state. In  
860 determining whether suspension or revocation is appropriate, the  
861 court shall consider all pertinent factors, including, but not  
862 limited to, such factors as the extent and nature of the  
863 driver's violation of this chapter, the number of persons killed  
864 or injured as the result of the driver's violation of this  
865 chapter, and the extent of any property damage resulting from  
866 the driver's violation of this chapter.

867 Section 16. Subsections (9) and (10) of section 318.14,  
868 Florida Statutes, are amended to read:

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869 318.14 Noncriminal traffic infractions; exception;  
 870 procedures.—

871 (9) Any person who does not hold a commercial driver  
 872 ~~driver's~~ license and who is cited while driving a noncommercial  
 873 motor vehicle for an infraction under this section other than a  
 874 violation of s. 316.183(2), s. 316.187, or s. 316.189 when the  
 875 driver exceeds the posted limit by 30 miles per hour or more, s.  
 876 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s.  
 877 322.61, or s. 322.62 may, in lieu of a court appearance, elect  
 878 to attend in the location of his or her choice within this state  
 879 a basic driver improvement course approved by the Department of  
 880 Highway Safety and Motor Vehicles. In such a case, adjudication  
 881 must be withheld and points, as provided by s. 322.27, may not  
 882 be assessed. However, a person may not make an election under  
 883 this subsection if the person has made an election under this  
 884 subsection in the preceding 12 months. A person may not make ~~no~~  
 885 more than five elections within his or her lifetime under this  
 886 subsection. The requirement for community service under s.  
 887 318.18(8) is not waived by a plea of nolo contendere or by the  
 888 withholding of adjudication of guilt by a court. If a person  
 889 makes an election to attend a basic driver improvement course  
 890 under this subsection, 18 percent of the civil penalty imposed  
 891 under s. 318.18(3) shall be deposited in the State Courts  
 892 Revenue Trust Fund; however, that portion is not revenue for  
 893 purposes of s. 28.36 and may not be used in establishing the  
 894 budget of the clerk of the court under that section or s. 28.35.

895 (10) (a) Any person who does not hold a commercial driver  
 896 ~~driver's~~ license and who is cited while driving a noncommercial



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897 motor vehicle for an offense listed under this subsection may,  
 898 in lieu of payment of fine or court appearance, elect to enter a  
 899 plea of nolo contendere and provide proof of compliance to the  
 900 clerk of the court, designated official, or authorized operator  
 901 of a traffic violations bureau. In such case, adjudication shall  
 902 be withheld; however, a person may not make an ~~no~~ election ~~shall~~  
 903 ~~be made~~ under this subsection if the ~~such~~ person has made an  
 904 election under this subsection in the preceding 12 months  
 905 ~~preceding election hereunder~~. A ~~No~~ person may not make more than  
 906 three elections under this subsection. This subsection applies  
 907 to the following offenses:

908 1. Operating a motor vehicle without a valid driver  
 909 ~~driver's~~ license in violation of ~~the provisions of~~ s. 322.03, s.  
 910 322.065, or s. 322.15(1), or operating a motor vehicle with a  
 911 license that has been suspended for failure to appear, failure  
 912 to pay civil penalty, or failure to attend a driver improvement  
 913 course pursuant to s. 322.291.

914 2. Operating a motor vehicle without a valid registration  
 915 in violation of s. 320.0605, s. 320.07, or s. 320.131.

916 3. Operating a motor vehicle in violation of s. 316.646.

917 4. Operating a motor vehicle with a license that has been  
 918 suspended under s. 61.13016 or s. 322.245 for failure to pay  
 919 child support or for failure to pay any other financial  
 920 obligation as provided in s. 322.245; however, this subparagraph  
 921 does not apply if the license has been suspended pursuant to s.  
 922 322.245(1).

923 5. Operating a motor vehicle with a license that has been  
 924 suspended under s. 322.091 for failure to meet school attendance

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925 requirements.

926 (b) Any person cited for an offense listed in this  
927 subsection shall present proof of compliance before ~~prior to~~ the  
928 scheduled court appearance date. For the purposes of this  
929 subsection, proof of compliance shall consist of a valid,  
930 renewed, or reinstated driver ~~driver's~~ license or registration  
931 certificate and proper proof of maintenance of security as  
932 required by s. 316.646. Notwithstanding waiver of fine, any  
933 person establishing proof of compliance shall be assessed court  
934 costs of \$25, except that a person charged with violation of s.  
935 316.646(1)-(3) may be assessed court costs of \$8. One dollar of  
936 such costs shall be remitted to the Department of Revenue for  
937 deposit into the Child Welfare Training Trust Fund of the  
938 Department of Children and Family Services. One dollar of such  
939 costs shall be distributed to the Department of Juvenile Justice  
940 for deposit into the Juvenile Justice Training Trust Fund.  
941 Fourteen dollars of such costs shall be distributed to the  
942 municipality and \$9 shall be deposited by the clerk of the court  
943 into the fine and forfeiture fund established pursuant to s.  
944 142.01, if the offense was committed within the municipality. If  
945 the offense was committed in an unincorporated area of a county  
946 or if the citation was for a violation of s. 316.646(1)-(3), the  
947 entire amount shall be deposited by the clerk of the court into  
948 the fine and forfeiture fund established pursuant to s. 142.01,  
949 except for the moneys to be deposited into the Child Welfare  
950 Training Trust Fund and the Juvenile Justice Training Trust  
951 Fund. This subsection does ~~shall not be construed to~~ authorize  
952 the operation of a vehicle without a valid driver ~~driver's~~

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953 license, without a valid vehicle tag and registration, or  
 954 without the maintenance of required security.

955 Section 17. Paragraph (c) is added to subsection (1) of  
 956 section 318.15, Florida Statutes, to read:

957 318.15 Failure to comply with civil penalty or to appear;  
 958 penalty.—

959 (1)

960 (c) A person who is charged with a traffic infraction may  
 961 request a hearing within 180 days after the date upon which the  
 962 violation occurred, regardless of any action taken by the court  
 963 or the department to suspend the person's driving privilege,  
 964 and, upon request, the clerk must set the case for hearing. The  
 965 person shall be given a form for requesting that his or her  
 966 driving privilege be reinstated. If the 180th day after the date  
 967 upon which the violation occurred is a Saturday, Sunday, or a  
 968 legal holiday, the person who is charged must request a hearing  
 969 within 177 days after the date upon which the violation  
 970 occurred; however, the court may grant a request for a hearing  
 971 made more than 180 days after the date upon which the violation  
 972 occurred. This paragraph does not affect the assessment of late  
 973 fees as otherwise provided in this chapter.

974 Section 18. Paragraph (f) of subsection (3) of section  
 975 318.18, Florida Statutes, is amended to read:

976 318.18 Amount of penalties.—The penalties required for a  
 977 noncriminal disposition pursuant to s. 318.14 or a criminal  
 978 offense listed in s. 318.17 are as follows:

979 (3)

980 (f) If a violation of s. 316.1301 or s. 316.1303(1) ~~s.~~

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981 ~~316.1303~~ results in an injury to the pedestrian or damage to the  
 982 property of the pedestrian, an additional fine of up to \$250  
 983 shall be paid. This amount must be distributed pursuant to s.  
 984 318.21.

985 Section 19. Subsection (5) of section 318.21, Florida  
 986 Statutes, is amended to read:

987 318.21 Disposition of civil penalties by county courts.—  
 988 All civil penalties received by a county court pursuant to the  
 989 provisions of this chapter shall be distributed and paid monthly  
 990 as follows:

991 (5) Of the additional fine assessed under s. 318.18(3)(f)  
 992 for a violation of s. 316.1303(1) ~~s. 316.1303~~, 60 percent must  
 993 be remitted to the Department of Revenue and transmitted monthly  
 994 to the Florida Endowment Foundation for Vocational  
 995 Rehabilitation, and 40 percent must be distributed pursuant to  
 996 subsections (1) and (2).

997 Section 20. Section 319.14, Florida Statutes, is amended  
 998 to read:

999 319.14 Sale of motor vehicles registered or used as  
 1000 taxicabs, police vehicles, lease vehicles, ~~or~~ rebuilt vehicles,  
 1001 ~~and~~ nonconforming vehicles, custom vehicles, or street rod  
 1002 vehicles.—

1003 (1) (a) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,  
 1004 sell, or exchange any vehicle that has been licensed,  
 1005 registered, or used as a taxicab, police vehicle, or short-term-  
 1006 lease vehicle, or a vehicle that has been repurchased by a  
 1007 manufacturer pursuant to a settlement, determination, or  
 1008 decision under chapter 681, until the department has stamped in

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1009 a conspicuous place on the certificate of title of the vehicle,  
 1010 or its duplicate, words stating the nature of the previous use  
 1011 of the vehicle or the title has been stamped "Manufacturer's Buy  
 1012 Back" to reflect that the vehicle is a nonconforming vehicle. If  
 1013 the certificate of title or duplicate was not so stamped upon  
 1014 initial issuance thereof or if, subsequent to initial issuance  
 1015 of the title, the use of the vehicle is changed to a use  
 1016 requiring the notation provided for in this section, the owner  
 1017 or lienholder of the vehicle shall surrender the certificate of  
 1018 title or duplicate to the department prior to offering the  
 1019 vehicle for sale, and the department shall stamp the certificate  
 1020 or duplicate as required herein. When a vehicle has been  
 1021 repurchased by a manufacturer pursuant to a settlement,  
 1022 determination, or decision under chapter 681, the title shall be  
 1023 stamped "Manufacturer's Buy Back" to reflect that the vehicle is  
 1024 a nonconforming vehicle.

1025 (b) A ~~No~~ person may not ~~shall~~ knowingly offer for sale,  
 1026 sell, or exchange a rebuilt vehicle until the department has  
 1027 stamped in a conspicuous place on the certificate of title for  
 1028 the vehicle words stating that the vehicle has been rebuilt or  
 1029 assembled from parts, or is a kit car, glider kit, replica, ~~or~~  
 1030 flood vehicle, custom vehicle, or street rod vehicle unless  
 1031 proper application for a certificate of title for a vehicle that  
 1032 is rebuilt or assembled from parts, or is a kit car, glider kit,  
 1033 replica, ~~or~~ flood vehicle, custom vehicle, or street rod vehicle  
 1034 has been made to the department in accordance with this chapter  
 1035 and the department has conducted the physical examination of the  
 1036 vehicle to assure the identity of the vehicle and all major

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1037 component parts, as defined in s. 319.30(1), which have been  
 1038 repaired or replaced. Thereafter, the department shall affix a  
 1039 decal to the vehicle, in the manner prescribed by the  
 1040 department, showing the vehicle to be rebuilt.

1041 (c) As used in this section, the term:

1042 1. "Police vehicle" means a motor vehicle owned or leased  
 1043 by the state or a county or municipality and used in law  
 1044 enforcement.

1045 2.a. "Short-term-lease vehicle" means a motor vehicle  
 1046 leased without a driver and under a written agreement to one or  
 1047 more persons from time to time for a period of less than 12  
 1048 months.

1049 b. "Long-term-lease vehicle" means a motor vehicle leased  
 1050 without a driver and under a written agreement to one person for  
 1051 a period of 12 months or longer.

1052 c. "Lease vehicle" includes both short-term-lease vehicles  
 1053 and long-term-lease vehicles.

1054 3. "Rebuilt vehicle" means a motor vehicle or mobile home  
 1055 built from salvage or junk, as defined in s. 319.30(1).

1056 4. "Assembled from parts" means a motor vehicle or mobile  
 1057 home assembled from parts or combined from parts of motor  
 1058 vehicles or mobile homes, new or used. "Assembled from parts"  
 1059 does not mean a motor vehicle defined as a "rebuilt vehicle" in  
 1060 subparagraph 3., which has been declared a total loss pursuant  
 1061 to s. 319.30.

1062 5. "Kit car" means a motor vehicle assembled with a kit  
 1063 supplied by a manufacturer to rebuild a wrecked or outdated  
 1064 motor vehicle with a new body kit.

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1065 6. "Glider kit" means a vehicle assembled with a kit  
 1066 supplied by a manufacturer to rebuild a wrecked or outdated  
 1067 truck or truck tractor.

1068 7. "Replica" means a complete new motor vehicle  
 1069 manufactured to look like an old vehicle.

1070 8. "Flood vehicle" means a motor vehicle or mobile home  
 1071 that has been declared to be a total loss pursuant to s.  
 1072 319.30(3)(a) resulting from damage caused by water.

1073 9. "Nonconforming vehicle" means a motor vehicle which has  
 1074 been purchased by a manufacturer pursuant to a settlement,  
 1075 determination, or decision under chapter 681.

1076 10. "Settlement" means an agreement entered into between a  
 1077 manufacturer and a consumer that occurs after a dispute is  
 1078 submitted to a program, or an informal dispute settlement  
 1079 procedure established by a manufacturer or is approved for  
 1080 arbitration before the New Motor Vehicle Arbitration Board as  
 1081 defined in s. 681.102.

1082 11. "Custom vehicle" means a motor vehicle that:

1083 a. Is 25 years of age or older and of a model year after  
 1084 1948 or was manufactured to resemble a vehicle that is 25 years  
 1085 of age or older and of a model year after 1948; and

1086 b. Has been altered from the manufacturer's original  
 1087 design or has a body constructed from nonoriginal materials.

1088  
 1089 The model year and year of manufacture that the body of a custom  
 1090 vehicle resembles is the model year and year of manufacture  
 1091 listed on the certificate of title, regardless of when the  
 1092 vehicle was actually manufactured.

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- 1093           12. "Street rod" means a motor vehicle that:  
 1094           a. Is of a model year of 1948 or older or was manufactured  
 1095 after 1948 to resemble a vehicle of a model year of 1948 or  
 1096 older; and  
 1097           b. Has been altered from the manufacturer's original  
 1098 design or has a body constructed from nonoriginal materials.

1099  
 1100 The model year and year of manufacture that the body of a street  
 1101 rod resembles is the model year and year of manufacture listed  
 1102 on the certificate of title, regardless of when the vehicle was  
 1103 actually manufactured.

1104           (2) A ~~No~~ person may not ~~shall~~ knowingly sell, exchange, or  
 1105 transfer a vehicle referred to in subsection (1) without, before  
 1106 ~~prior to~~ consummating the sale, exchange, or transfer,  
 1107 disclosing in writing to the purchaser, customer, or transferee  
 1108 the fact that the vehicle has previously been titled,  
 1109 registered, or used as a taxicab, police vehicle, or short-term-  
 1110 lease vehicle, ~~or~~ is a vehicle that is rebuilt or assembled from  
 1111 parts, ~~or~~ is a kit car, glider kit, replica, or flood vehicle,  
 1112 or is a nonconforming vehicle, custom vehicle, or street rod  
 1113 vehicle, as the case may be.

1114           (3) Any person who, with intent to offer for sale or  
 1115 exchange any vehicle referred to in subsection (1), knowingly or  
 1116 intentionally advertises, publishes, disseminates, circulates,  
 1117 or places before the public in any communications medium,  
 1118 whether directly or indirectly, any offer to sell or exchange  
 1119 the vehicle shall clearly and precisely state in each such offer  
 1120 that the vehicle has previously been titled, registered, or used



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1121 as a taxicab, police vehicle, or short-term-lease vehicle or  
 1122 that the vehicle or mobile home is a vehicle that is rebuilt or  
 1123 assembled from parts, ~~or~~ is a kit car, glider kit, replica, or  
 1124 flood vehicle, or is a nonconforming vehicle, custom vehicle, or  
 1125 street rod vehicle, as the case may be. A ~~Any~~ person who  
 1126 violates this subsection commits a misdemeanor of the second  
 1127 degree, punishable as provided in s. 775.082 or s. 775.083.

1128 (4) If ~~When~~ a certificate of title, including a foreign  
 1129 certificate, is branded to reflect a condition or prior use of  
 1130 the titled vehicle, the brand must be noted on the registration  
 1131 certificate of the vehicle and such brand shall be carried  
 1132 forward on all subsequent certificates of title and registration  
 1133 certificates issued for the life of the vehicle.

1134 (5) A ~~Any~~ person who knowingly sells, exchanges, or offers  
 1135 to sell or exchange a motor vehicle or mobile home contrary to  
 1136 ~~the provisions of~~ this section or any officer, agent, or  
 1137 employee of a person who knowingly authorizes, directs, aids in,  
 1138 or consents to the sale, exchange, or offer to sell or exchange  
 1139 a motor vehicle or mobile home contrary to ~~the provisions of~~  
 1140 this section commits a misdemeanor of the second degree,  
 1141 punishable as provided in s. 775.082 or s. 775.083.

1142 (6) A ~~Any~~ person who removes a rebuilt decal from a  
 1143 rebuilt vehicle with the intent to conceal the rebuilt status of  
 1144 the vehicle commits a felony of the third degree, punishable as  
 1145 provided in s. 775.082, s. 775.083, or s. 775.084.

1146 (7) This section applies to a mobile home, travel trailer,  
 1147 camping trailer, truck camper, or fifth-wheel recreation trailer  
 1148 only when the ~~such~~ mobile home or vehicle is a rebuilt vehicle

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1149 or is assembled from parts.

1150 (8) A ~~No~~ person is not ~~shall be~~ liable or accountable in  
 1151 any civil action arising out of a violation of this section if  
 1152 the designation of the previous use or condition of the motor  
 1153 vehicle is not noted on the certificate of title and  
 1154 registration certificate of the vehicle which was received by,  
 1155 or delivered to, such person, unless the ~~such~~ person has  
 1156 actively concealed the prior use or condition of the vehicle  
 1157 from the purchaser.

1158 (9) Subsections (1), (2), and (3) do not apply to the  
 1159 transfer of ownership of a motor vehicle after the motor vehicle  
 1160 has ceased to be used as a lease vehicle and the ownership has  
 1161 been transferred to an owner for private use or to the transfer  
 1162 of ownership of a nonconforming vehicle with 36,000 or more  
 1163 miles on its odometer, or 34 months whichever is later and the  
 1164 ownership has been transferred to an owner for private use. Such  
 1165 owner, as shown on the title certificate, may request the  
 1166 department to issue a corrected certificate of title that does  
 1167 not contain the statement of the previous use of the vehicle as  
 1168 a lease vehicle or condition as a nonconforming vehicle.

1169 Section 21. Subsection (6) of section 319.23, Florida  
 1170 Statutes, is amended, present subsections (7) through (11) of  
 1171 that section are redesignated as subsections (8) through (12),  
 1172 respectively, and a new subsection (7) is added to that section,  
 1173 to read:

1174 319.23 Application for, and issuance of, certificate of  
 1175 title.—

1176 (6) (a) In the case of the sale of a motor vehicle or

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1177 | mobile home by a licensed dealer to a general purchaser, the  
1178 | certificate of title must be obtained in the name of the  
1179 | purchaser by the dealer upon application signed by the  
1180 | purchaser, and in each other case the ~~such~~ certificate must be  
1181 | obtained by the purchaser. In each case of transfer of a motor  
1182 | vehicle or mobile home, the application for a certificate of  
1183 | title, a corrected certificate, or an assignment or reassignment  
1184 | must be filed within 30 days after the delivery of the motor  
1185 | vehicle or after consummation of the sale of the mobile home to  
1186 | the purchaser. An applicant must pay a fee of \$20, in addition  
1187 | to all other fees and penalties required by law, for failing to  
1188 | file such application within the specified time. In the case of  
1189 | the sale of a motor vehicle by a licensed motor vehicle dealer  
1190 | to a general purchaser who resides in another state or country,  
1191 | the dealer is not required to apply for a certificate of title  
1192 | for the motor vehicle; however, the dealer must transfer  
1193 | ownership and reassign the certificate of title or  
1194 | manufacturer's certificate of origin to the purchaser, and the  
1195 | purchaser must sign an affidavit, as approved by the department,  
1196 | that the purchaser will title and register the motor vehicle in  
1197 | another state or country.

1198 |       (b) If a licensed dealer acquires a motor vehicle or  
1199 | mobile home as a trade-in, the dealer must file with the  
1200 | department, within 30 days, a notice of sale signed by the  
1201 | seller. The department shall update its database for that title  
1202 | record to indicate "sold." A licensed dealer need not apply for  
1203 | a certificate of title for any motor vehicle or mobile home in  
1204 | stock acquired for stock purposes except as provided in s.

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319.225.

(7) If an applicant for a certificate of title is unable to provide the department with a certificate of title that assigns the prior owner's interest in the motor vehicle, the department may accept a bond in the form prescribed by the department, along with an affidavit in a form prescribed by the department, which includes verification of the vehicle identification number and an application for title.

(a) The bond must be:

1. In a form prescribed by the department;
2. Executed by the applicant;
3. Issued by a person authorized to conduct a surety business in this state;
4. In an amount equal to two times the value of the vehicle as determined by the department; and
5. Conditioned to indemnify all prior owners and lienholders and all subsequent purchasers of the vehicle or persons who acquire a security interest in the vehicle, and their successors in interest, against any expense, loss, or damage, including reasonable attorney fees, occurring because of the issuance of the certificate of title for the vehicle or for a defect in or undisclosed security interest on the right, title, or interest of the applicant to the vehicle.

(b) An interested person has a right to recover on the bond for a breach of the bond's condition. The aggregate liability of the surety to all persons may not exceed the amount of the bond.

(c) A bond under this subsection expires on the third

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- anniversary of the date the bond became effective.
- (d) The affidavit must:
1. Be in a form prescribed by the department;
  2. Include the facts and circumstances under which the applicant acquired ownership and possession of the motor vehicle;
  3. Disclose that no security interests, liens, or encumbrances against the motor vehicle are known to the applicant against the motor vehicle; and
  4. State that the applicant has the right to have a certificate of title issued.

Section 22. Subsection (8) of section 319.24, Florida Statutes, is amended to read:

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

(8) Notwithstanding any requirements in this section or in s. 319.27 indicating that a lien on a motor vehicle or mobile home shall be noted on the face of the Florida certificate of title, if there are one or more liens or encumbrances on the motor vehicle or mobile home, the department shall ~~may~~ electronically transmit the lien to the first lienholder and notify the first lienholder of any additional liens. Subsequent lien satisfactions shall ~~may~~ be electronically transmitted to the department and must ~~shall~~ include the name and address of the person or entity satisfying the lien. When electronic transmission of liens and lien satisfactions is ~~are~~ used, the issuance of a certificate of title may be waived until the last lien is satisfied and a clear certificate of title is issued to

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1261 the owner of the vehicle. In subsequent transfer of ownership of  
 1262 the motor vehicle, it shall be presumed that the motor vehicle  
 1263 title is subject to a lien as set forth in s. 319.225(6)(a)  
 1264 until the title to be issued pursuant to this subsection is  
 1265 received by the person or entity satisfying the lien.

1266 Section 23. Subsection (7) is added to section 319.27,  
 1267 Florida Statutes, to read:

1268 319.27 Notice of lien on motor vehicles or mobile homes;  
 1269 notation on certificate; recording of lien.—

1270 (7) The department shall establish and administer an  
 1271 electronic titling program that requires the electronic  
 1272 recording of vehicle title information for new, transferred, and  
 1273 corrected certificates of title. Lienholders shall  
 1274 electronically transmit liens and lien satisfactions to the  
 1275 department in a format determined by the department. Individuals  
 1276 and lienholders who the department determines are not normally  
 1277 engaged in the business or practice of financing vehicles are  
 1278 exempt from the electronic titling requirement.

1279 Section 24. Subsection (3) is added to section 319.28,  
 1280 Florida Statutes, to read:

1281 319.28 Transfer of ownership by operation of law.—

1282 (3) A dealer of industrial equipment who conducts a  
 1283 repossession, as defined in s. 493.6101(22), of such equipment  
 1284 is not subject to licensure as a recovery agent or recovery  
 1285 agency if the dealer is regularly engaged in the sale of the  
 1286 equipment for a particular manufacturer, the lender is  
 1287 affiliated with that manufacturer, and the dealer uses his or  
 1288 her own employees to make such repossessions.

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1289 Section 25. Present subsection (10) of section 319.30,  
 1290 Florida Statutes, is renumbered as subsection (11), and new  
 1291 subsection (10) is added to that section to read:

1292 319.30 Definitions; dismantling, destruction, change of  
 1293 identity of motor vehicle or mobile home; salvage.—

1294 (10) The department may adopt rules to implement an  
 1295 electronic system for issuing salvage certificates of title and  
 1296 certificates of destruction.

1297 Section 26. Section 319.40, Florida Statutes, is amended  
 1298 to read:

1299 319.40 Transactions by electronic or telephonic means.—

1300 (1) The department may ~~is authorized to~~ accept any  
 1301 application provided for under this chapter by electronic or  
 1302 telephonic means.

1303 (2) The department may issue an electronic certificate of  
 1304 title in lieu of printing a paper title.

1305 (3) The department may collect electronic mail addresses  
 1306 and use electronic mail in lieu of the United States Postal  
 1307 Service as a method of notification. However, any notice  
 1308 regarding the potential forfeiture or foreclosure of an interest  
 1309 in property must be sent via the United States Postal Service.

1310 Section 27. Paragraph (a) of subsection (1) of section  
 1311 320.01, Florida Statutes, is amended, and subsection (46) is  
 1312 added to that section, to read:

1313 320.01 Definitions, general.—As used in the Florida  
 1314 Statutes, except as otherwise provided, the term:

1315 (1) "Motor vehicle" means:

1316 (a) An automobile, motorcycle, truck, trailer,

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1317 semitrailer, truck tractor and semitrailer combination, or any  
 1318 other vehicle operated on the roads of this state, used to  
 1319 transport persons or property, and propelled by power other than  
 1320 muscular power, but the term does not include traction engines,  
 1321 road rollers, special mobile equipment as defined in s.  
 1322 316.003(48), ~~such~~ vehicles ~~that~~ ~~as~~ run only upon a track,  
 1323 bicycles, swamp buggies, or mopeds.

1324 (46) "Swamp buggy" means a motorized off-road vehicle that  
 1325 is designed or modified to travel over swampy or varied terrain  
 1326 and that may use large tires or tracks operated from an elevated  
 1327 platform. The term does not include any vehicle defined in  
 1328 chapter 261 or otherwise defined or classified in this chapter.

1329 Section 28. Subsection (2) and paragraph (e) of subsection  
 1330 (5) of section 320.02, Florida Statutes, are amended, paragraphs  
 1331 (o), (p), (q), and (r) are added to subsection (15), and  
 1332 subsection (18) is added to that section, to read:

1333 320.02 Registration required; application for  
 1334 registration; forms.—

1335 (2) (a) The application for registration shall include the  
 1336 street address of the owner's permanent residence or the address  
 1337 of his or her permanent place of business and shall be  
 1338 accompanied by personal or business identification information  
 1339 which may include, but need not be limited to, a driver ~~driver's~~  
 1340 license number, Florida identification card number, or federal  
 1341 employer identification number. If the owner does not have a  
 1342 permanent residence or permanent place of business or if the  
 1343 owner's permanent residence or permanent place of business  
 1344 cannot be identified by a street address, the application shall



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1345 include:

1346 1. If the vehicle is registered to a business, the name  
 1347 and street address of the permanent residence of an owner of the  
 1348 business, an officer of the corporation, or an employee who is  
 1349 in a supervisory position.

1350 2. If the vehicle is registered to an individual, the name  
 1351 and street address of the permanent residence of a close  
 1352 relative or friend who is a resident of this state.

1353

1354 If the vehicle is registered to an active duty member of the  
 1355 Armed Forces of the United States who is a Florida resident, the  
 1356 active duty member is exempt from the requirement to provide the  
 1357 street address of a permanent residence.

1358 (b) The department shall prescribe a form upon which motor  
 1359 vehicle owners may record odometer readings when registering  
 1360 their motor vehicles.

1361 (5)

1362 (e) Upon the expiration date noted in the cancellation  
 1363 notice that the department receives from the insurer, the  
 1364 department shall suspend the registration, issued under this  
 1365 chapter or s. 207.004(1), of a motor carrier who operates a  
 1366 commercial motor vehicle or who permits it to be operated in  
 1367 this state during the registration period without having in full  
 1368 force ~~and effect~~ liability insurance, a surety bond, or a valid  
 1369 self-insurance certificate that complies with ~~the provisions of~~  
 1370 this section. The insurer shall provide notice to the department  
 1371 at the same time the cancellation notice is provided to the  
 1372 insured pursuant to s. 627.7281. The department may adopt rules

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1373 regarding the electronic submission of the cancellation notice  
 1374 ~~liability insurance policy or surety bond may not be canceled on~~  
 1375 ~~less than 30 days' written notice by the insurer to the~~  
 1376 ~~department, such 30 days' notice to commence from the date~~  
 1377 ~~notice is received by the department.~~

1378 (15)

1379 (o) The application form for motor vehicle registration  
 1380 and renewal registration must include language permitting a  
 1381 voluntary contribution of \$1 to the Florida Association of Food  
 1382 Banks, Inc. The proceeds shall be distributed by the department  
 1383 each month to Florida Association of Food Banks, Inc., to be  
 1384 used by that organization for the purpose of ending hunger in  
 1385 this state.

1386 (p) The application form for motor vehicle registration  
 1387 and renewal of registration must include language permitting a  
 1388 voluntary contribution of \$1 per applicant for Autism Services  
 1389 and Supports. Such contributions must be transferred by the  
 1390 department to the Achievement and Rehabilitation Centers, Inc.,  
 1391 Autism Services Fund.

1392 (q) The application form for motor vehicle registration  
 1393 and renewal of registration must include language permitting a  
 1394 voluntary contribution of \$1 per applicant to Support Our  
 1395 Troops, which shall be distributed to Support Our Troops, Inc.,  
 1396 a Florida not-for-profit organization.

1397 (r) The application form for motor vehicle registration  
 1398 and renewal of registration must include language permitting a  
 1399 voluntary contribution of \$1 to Take Stock In Children. Such  
 1400 contributions shall be transferred by the department to Take

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1401 Stock In Children, Inc.

1402

1403 For the purpose of applying the service charge provided in s.  
 1404 215.20, contributions received under this subsection are not  
 1405 income of a revenue nature.

1406 (18) The department shall retain all electronic  
 1407 registration records for at least 10 years.

1408 Section 29. Subsection (8) of section 320.03, Florida  
 1409 Statutes, is amended to read:

1410 320.03 Registration; duties of tax collectors;  
 1411 International Registration Plan.—

1412 (8) If the applicant's name appears on the list referred  
 1413 to in s. 316.1001(4), s. 316.1967(6), or s. 713.78(13), a  
 1414 license plate or revalidation sticker may not be issued until  
 1415 that person's name no longer appears on the list or until the  
 1416 person presents a receipt from the governmental entity or the  
 1417 clerk of court that provided the data showing that the fines  
 1418 outstanding have been paid. This subsection does not apply to  
 1419 the owner of a leased vehicle if the vehicle is registered in  
 1420 the name of the lessee of the vehicle. The tax collector and the  
 1421 clerk of the court are each entitled to receive monthly, as  
 1422 costs for implementing and administering this subsection, 10  
 1423 percent of the civil penalties and fines recovered from such  
 1424 persons. As used in this subsection, the term "civil penalties  
 1425 and fines" does not include a wrecker operator's lien as  
 1426 described in s. 713.78(13). If the tax collector has private tag  
 1427 agents, such tag agents are entitled to receive a pro rata share  
 1428 of the amount paid to the tax collector, based upon the

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1429 percentage of license plates and revalidation stickers issued by  
 1430 the tag agent compared to the total issued within the county.  
 1431 The authority of any private agent to issue license plates shall  
 1432 be revoked, after notice and a hearing as provided in chapter  
 1433 120, if he or she issues any license plate or revalidation  
 1434 sticker contrary to the provisions of this subsection. This  
 1435 section applies only to the annual renewal in the owner's birth  
 1436 month of a motor vehicle registration and does not apply to the  
 1437 transfer of a registration of a motor vehicle sold by a motor  
 1438 vehicle dealer licensed under this chapter, except for the  
 1439 transfer of registrations which includes ~~is inclusive of~~ the  
 1440 annual renewals. This section does not affect the issuance of  
 1441 the title to a motor vehicle, notwithstanding s. 319.23(8)(b)  
 1442 ~~319.23(7)(b)~~.

1443 Section 30. Subsections (5) and (6) are added to section  
 1444 320.06, Florida Statutes, to read:

1445 320.06 Registration certificates, license plates, and  
 1446 validation stickers generally.—

1447 (5) The department may conduct a pilot program to evaluate  
 1448 the designs, concepts, and technologies for alternative license  
 1449 plates. For purposes of the pilot program, the department shall  
 1450 investigate the feasibility and use of alternative license plate  
 1451 technologies and the long-term cost impact to the consumer. The  
 1452 pilot program shall be limited to license plates that are used  
 1453 on government-owned motor vehicles as described in s. 320.0655.  
 1454 Such license plates are exempt from the requirements in  
 1455 paragraph (3)(a).

1456 (6) All license plates issued pursuant to this chapter are

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1457 the property of the state.

1458 Section 31. Section 320.0605, Florida Statutes, is amended  
 1459 to read:

1460 320.0605 Certificate of registration; possession required;  
 1461 exception.—

1462 (1) The registration certificate or an official copy  
 1463 thereof, a true copy of a rental or lease documentation  
 1464 ~~agreement~~ issued for a motor vehicle or issued for a replacement  
 1465 vehicle in the same registration period, a temporary receipt  
 1466 printed upon self-initiated electronic renewal of a registration  
 1467 via the Internet, or a cab card issued for a vehicle registered  
 1468 under the International Registration Plan shall, at all times  
 1469 while the vehicle is being used or operated on the roads of this  
 1470 state, be in the possession of the operator thereof or be  
 1471 carried in the vehicle for which issued and shall be exhibited  
 1472 upon demand of any authorized law enforcement officer or any  
 1473 agent of the department, except for a vehicle registered under  
 1474 s. 320.0657. The provisions of this section do not apply during  
 1475 the first 30 days after purchase of a replacement vehicle. A  
 1476 violation of this section is a noncriminal traffic infraction,  
 1477 punishable as a nonmoving violation as provided in chapter 318.

1478 (2) Rental or lease documentation that is sufficient to  
 1479 satisfy the requirement in subsection (1) includes the  
 1480 following:

- 1481 (a) Date of rental and time of exit from rental facility;
- 1482 (b) Rental station identification;
- 1483 (c) Rental agreement number;
- 1484 (d) Rental vehicle identification number;

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1485           (e) Rental vehicle license plate number and state of  
 1486 registration;

1487           (f) Vehicle's make, model, and color;

1488           (g) Vehicle's mileage; and

1489           (h) Authorized renter's name.

1490           Section 32. Section 320.061, Florida Statutes, is amended  
 1491 to read:

1492           320.061 Unlawful to alter motor vehicle registration  
 1493 certificates, license plates, temporary license plates, mobile  
 1494 home stickers, or validation stickers or to obscure license  
 1495 plates; penalty.—A ~~No~~ person may not ~~shall~~ alter the original  
 1496 appearance of a vehicle registration certificate, ~~any~~  
 1497 ~~registration~~ license plate, temporary license plate, mobile home  
 1498 sticker, or validation sticker, ~~or vehicle registration~~  
 1499 ~~certificate~~ issued for and assigned to a ~~any~~ motor vehicle or  
 1500 mobile home, whether by mutilation, alteration, defacement, or  
 1501 change of color or in any other manner. A ~~No~~ person may not  
 1502 ~~shall~~ apply or attach a ~~any~~ substance, reflective matter,  
 1503 illuminated device, spray, coating, covering, or other material  
 1504 onto or around any license plate which ~~that~~ interferes with the  
 1505 legibility, angular visibility, or detectability of any feature  
 1506 or detail on the license plate or interferes with the ability to  
 1507 record any feature or detail on the license plate. A ~~Any~~ person  
 1508 who violates this section commits a noncriminal traffic  
 1509 infraction, punishable as a moving violation as provided in  
 1510 chapter 318.

1511           Section 33. Subsection (1) of section 320.07, Florida  
 1512 Statutes, is amended to read:

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1513 320.07 Expiration of registration; renewal required;  
 1514 penalties.—

1515 (1) The registration of a motor vehicle or mobile home  
 1516 expires at midnight on the last day of the registration or  
 1517 extended registration period, or for a motor vehicle or mobile  
 1518 home owner who is a natural person, at midnight on the owner's  
 1519 birthday. A vehicle may ~~shall~~ not be operated on the roads of  
 1520 this state after expiration of the renewal period unless the  
 1521 registration has been renewed according to law.

1522 Section 34. Subsection (11) of section 320.08056, Florida  
 1523 Statutes, is amended to read:

1524 320.08056 Specialty license plates.—

1525 (11) The annual use fee from the sale of specialty license  
 1526 plates, the interest earned from those fees, or any fees  
 1527 received by an agency as a result of the sale of specialty  
 1528 license plates may not be used for the purpose of marketing to,  
 1529 or lobbying, entertaining, or rewarding, an employee of a  
 1530 governmental agency that is responsible for the sale and  
 1531 distribution of specialty license plates, or an elected member  
 1532 or employee of the Legislature.

1533 Section 35. Paragraph (b) of subsection (35) of section  
 1534 320.08058, Florida Statutes, is amended to read:

1535 320.08058 Specialty license plates.—

1536 (35) Florida Golf License Plates.—

1537 (b) The department shall distribute the Florida Golf  
 1538 license plate annual use fee to the Dade Amateur Golf  
 1539 Association, a nonprofit organization under s. 501(c)(3) of the  
 1540 Internal Revenue Code. The license plate annual use fees are to

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1541 be annually allocated as follows:

1542 1. Up to ~~10~~ 15 percent of the proceeds from the annual use  
 1543 fees may be used by the Dade Amateur Golf Association for the  
 1544 administration of the Florida Junior Golf Program.

1545 2. The Dade Amateur Golf Association shall receive the  
 1546 first \$80,000 in proceeds from the annual use fees for the  
 1547 operation of youth golf programs in Miami-Dade County.  
 1548 Thereafter, 15 percent of the proceeds from the annual use fees  
 1549 shall be provided to the Dade Amateur Golf Association for the  
 1550 operation of youth golf programs in Miami-Dade County.

1551 3. The remaining proceeds from the annual use fees shall  
 1552 be available for grants to nonprofit organizations to operate  
 1553 youth golf programs and for marketing the Florida Golf license  
 1554 plates. All grant recipients shall be required to provide to the  
 1555 Dade Amateur Golf Association an annual program and financial  
 1556 report regarding the use of grant funds. Such reports shall be  
 1557 made available to the public.

1558 Section 36. Paragraph (e) of subsection (4) of section  
 1559 320.08068, Florida Statutes, is amended to read:

1560 320.08068 Motorcycle specialty license plates.—

1561 (4) A license plate annual use fee of \$20 shall be  
 1562 collected for each motorcycle specialty license plate. Annual  
 1563 use fees shall be distributed to The Able Trust as custodial  
 1564 agent. The Able Trust may retain a maximum of 10 percent of the  
 1565 proceeds from the sale of the license plate for administrative  
 1566 costs. The Able Trust shall distribute the remaining funds as  
 1567 follows:

1568 (e) Twenty percent to the Florida Association of Centers



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1569 for Independent Living ~~to be used to leverage additional funding~~  
 1570 ~~and new sources of revenue for the centers for independent~~  
 1571 ~~living in this state.~~

1572 Section 37. Section 320.0807, Florida Statutes, is amended  
 1573 to read:

1574 320.0807 Special license plates for Governor and federal  
 1575 and state legislators.—

1576 (1) Upon application by any member of the House of  
 1577 Representatives of Congress and payment of the fees prescribed  
 1578 by s. 320.0805, the department may ~~is authorized to~~ issue to  
 1579 such member of Congress a license plate stamped "Official Member  
 1580 ~~of~~ Congress" followed by the number of the appropriate  
 1581 congressional district and the letters "MC," or any other  
 1582 configuration chosen by the member which is not already in use.  
 1583 Upon application by a United States Senator and payment of the  
 1584 fees prescribed by s. 320.0805, the department may ~~is authorized~~  
 1585 ~~to~~ issue a license plate stamped "USS," followed by the numeral  
 1586 II in the case of the junior senator.

1587 (2) Upon application by any member of the state House of  
 1588 Representatives and payment of the fees prescribed by s.  
 1589 320.0805, the department may ~~is authorized to~~ issue the ~~such~~  
 1590 state representative license plates stamped ~~in bold letters~~  
 1591 "Official House State Legislator," followed by the number of the  
 1592 appropriate House of Representatives district and the letters  
 1593 "HR," or any other configuration chosen by the member which is  
 1594 not already in use. Upon application by a state senator and  
 1595 payment of the fees prescribed by s. 320.0805, the department  
 1596 may ~~is authorized to~~ issue license plates stamped ~~in bold~~

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1597 ~~letters~~ "Official Senate ~~State Senator,~~" followed by the number  
 1598 of the appropriate Senate district and the letters "SN," or any  
 1599 other configuration chosen by the member which is not already in  
 1600 use.

1601 (3) Upon application by the Governor and payment of the  
 1602 appropriate fees, the department may ~~is authorized to~~ issue to  
 1603 the Governor two license plates stamped ~~in bold letters~~ "Florida  
 1604 1" and "Florida 2."

1605 (4) License plates purchased under subsection (1),  
 1606 subsection (2), or subsection (3) shall be replaced by the  
 1607 department at no cost, other than the fees required by ss.  
 1608 320.04 and 320.06(3)(b), when the person to whom the ~~such~~ plates  
 1609 have been issued leaves the elective office with respect to  
 1610 which the ~~such~~ license plates were issued. Within 30 days after  
 1611 leaving office, the person to whom the ~~such~~ license plates have  
 1612 been issued shall make application to the department for a  
 1613 replacement license plate. The ~~Such~~ person may return the  
 1614 prestige license plates to the department or may retain the ~~such~~  
 1615 plates as souvenirs. Upon receipt of the replacement license  
 1616 plate, the ~~such~~ person may ~~shall~~ not continue to display on any  
 1617 vehicle the prestige license plate or plates issued with respect  
 1618 to his or her former office.

1619 (5) Upon application by any current or former President of  
 1620 the Senate and payment of the fees prescribed by s. 320.0805,  
 1621 the department may ~~is authorized to~~ issue a license plate  
 1622 stamped ~~in bold letters~~ "Senate President" followed by the  
 1623 number assigned by the department or chosen by the applicant if  
 1624 it is not already in use. Upon application by any current or

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1625 former Speaker of the House of Representatives and payment of  
 1626 the fees prescribed by s. 320.0805, the department may ~~is~~  
 1627 ~~authorized to~~ issue a license plate stamped ~~in bold letters~~  
 1628 "House Speaker" followed by the number assigned by the  
 1629 department or chosen by the applicant if it is not already in  
 1630 use.

1631 (6) (a) Upon application by any former member of Congress  
 1632 or former member of the state Legislature, payment of the fees  
 1633 prescribed by s. 320.0805, and payment of a one-time fee of  
 1634 \$500, the department may issue a former member of Congress,  
 1635 state senator, or state representative a license plate stamped  
 1636 "Retired Congress," "Retired Senate," or "Retired House," as  
 1637 appropriate, for a vehicle owned by the former member.

1638 (b) To qualify for a Retired Congress, Retired Senate, or  
 1639 Retired House prestige license plate, a former member must have  
 1640 served at least 4 years as a member of Congress, state senator,  
 1641 or state representative, respectively.

1642 (c) Four hundred fifty dollars of the one-time fee  
 1643 collected under paragraph (a) shall be distributed to the  
 1644 account of the citizen support organization established pursuant  
 1645 to s. 272.129 and used for the benefit of the Legislative  
 1646 Research Center and Museum at the Historic Capitol, and the  
 1647 remaining \$50 shall be deposited into the Highway Safety  
 1648 Operating Trust Fund.

1649 (7) The department may create a unique plate design for  
 1650 plates to be used by members or former members of the  
 1651 Legislature or Congress as provided in subsections (2), (5), and  
 1652 (6).

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1653            ~~(8)(6)~~ Any person who does not make application for a  
 1654 replacement license plate as required by subsection (4), or who,  
 1655 after receipt of the replacement license plate, continues to  
 1656 display on any vehicle the prestige license plate or plates  
 1657 issued with respect to his or her former office, is guilty of a  
 1658 misdemeanor of the second degree, punishable as provided in s.  
 1659 775.082 or s. 775.083.

1660            Section 38. Subsection (4) of section 320.0848, Florida  
 1661 Statutes, is amended to read:

1662            320.0848 Persons who have disabilities; issuance of  
 1663 disabled parking permits; temporary permits; permits for certain  
 1664 providers of transportation services to persons who have  
 1665 disabilities.—

1666            (4) From the proceeds of the temporary disabled parking  
 1667 permit fees:

1668            (a) The Department of Highway Safety and Motor Vehicles  
 1669 must receive \$3.50 for each temporary permit, to be deposited  
 1670 into the Highway Safety Operating Trust Fund and used for  
 1671 implementing the real-time disabled parking permit database and  
 1672 for administering the disabled parking permit program.

1673            (b) The tax collector, for processing, must receive \$2.50  
 1674 for each temporary permit.

1675            (c) The remainder must be distributed monthly as follows:

1676            1. To the Florida Endowment Foundation for Vocational  
 1677 Rehabilitation, known as "The Able Trust," ~~Governor's Alliance~~  
 1678 ~~for the Employment of Disabled Citizens~~ for the purpose of  
 1679 improving employment and training opportunities for persons who  
 1680 have disabilities, with special emphasis on removing

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1681 transportation barriers, \$4. These fees must be directly  
 1682 deposited into the Florida Endowment Foundation for Vocational  
 1683 Rehabilitation as established in s. 413.615 Transportation  
 1684 ~~Disadvantaged Trust Fund for transfer to the Florida Governor's~~  
 1685 ~~Alliance for Employment of Disabled Citizens.~~

1686 2. To the Transportation Disadvantaged Trust Fund to be  
 1687 used for funding matching grants to counties for the purpose of  
 1688 improving transportation of persons who have disabilities, \$5.

1689 Section 39. Paragraph (a) of subsection (1) of section  
 1690 320.089, Florida Statutes, is amended, and subsection (5) is  
 1691 added to that section, to read:

1692 320.089 Members of National Guard and active United States  
 1693 Armed Forces reservists; former prisoners of war; survivors of  
 1694 Pearl Harbor; Purple Heart medal recipients; Operation Iraqi  
 1695 Freedom and Operation Enduring Freedom Veterans; Vietnam War  
 1696 Veterans; Combat Infantry Badge recipients; special license  
 1697 plates; fee.-

1698 (1) (a) Each owner or lessee of an automobile or truck for  
 1699 private use or recreational vehicle as specified in s.  
 1700 320.08(9)(c) or (d), which is not used for hire or commercial  
 1701 use, who is a resident of the state and an active or retired  
 1702 member of the Florida National Guard, a survivor of the attack  
 1703 on Pearl Harbor, a recipient of the Purple Heart medal, ~~or~~ an  
 1704 active or retired member of any branch of the United States  
 1705 Armed Forces Reserve, or a recipient of the Combat Infantry  
 1706 Badge shall, upon application to the department, accompanied by  
 1707 proof of active membership or retired status in the Florida  
 1708 National Guard, proof of membership in the Pearl Harbor

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1709 Survivors Association or proof of active military duty in Pearl  
 1710 Harbor on December 7, 1941, proof of being a Purple Heart medal  
 1711 recipient, ~~or~~ proof of active or retired membership in any  
 1712 branch of the Armed Forces Reserve, or proof of membership in  
 1713 the Combat Infantrymen's Association, Inc., or other proof of  
 1714 being a recipient of the Combat Infantry Badge, and upon payment  
 1715 of the license tax for the vehicle as provided in s. 320.08, be  
 1716 issued a license plate as provided by s. 320.06, upon which, in  
 1717 lieu of the serial numbers prescribed by s. 320.06, shall be  
 1718 stamped the words "National Guard," "Pearl Harbor Survivor,"  
 1719 "Combat-wounded veteran," ~~or~~ "U.S. Reserve," or "Combat Infantry  
 1720 Badge," as appropriate, followed by the serial number of the  
 1721 license plate. Additionally, the Purple Heart plate may have the  
 1722 words "Purple Heart" stamped on the plate and the likeness of  
 1723 the Purple Heart medal appearing on the plate.

1724 (5) The owner or lessee of an automobile or truck for  
 1725 private use, a truck weighing not more than 7,999 pounds, or a  
 1726 recreational vehicle as specified in s. 320.08(9)(c) or (d)  
 1727 which automobile, truck, or recreational vehicle is not used for  
 1728 hire or commercial use who is a resident of the state and a  
 1729 current or former member of the United States military who was  
 1730 deployed and served in Vietnam during United States military  
 1731 deployment in Indochina shall, upon application to the  
 1732 department, accompanied by proof of active membership or former  
 1733 active duty status during these operations, and, upon payment of  
 1734 the license tax for the vehicle as provided in s. 320.08, be  
 1735 issued a license plate as provided by s. 320.06 upon which, in  
 1736 lieu of the registration license number prescribed by s. 320.06,

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1737 shall be stamped the words "Vietnam War Veteran," followed by  
 1738 the registration license number of the plate.

1739 Section 40. Paragraph (c) is added to subsection (1) of  
 1740 section 320.13, Florida Statutes, to read:

1741 320.13 Dealer and manufacturer license plates and  
 1742 alternative method of registration.—

1743 (1)

1744 (c) A dealer of heavy trucks as defined in s. 320.01(10),  
 1745 upon payment of the license tax imposed by s. 320.08(12), may  
 1746 secure one or more dealer license plates that are valid for use  
 1747 on vehicles owned by the dealer to whom such plates are issued  
 1748 while the heavy trucks are in inventory and for sale and are  
 1749 being used only in the state for demonstration purposes. The  
 1750 license plates may be used for demonstration purposes for a  
 1751 period not to exceed 24 hours. The license plates must be  
 1752 validated on a form prescribed by the department and must be  
 1753 retained in the vehicle being operated.

1754 Section 41. Section 320.15, Florida Statutes, is amended  
 1755 to read:

1756 320.15 Refund of license tax.—Any resident owner of a  
 1757 motor vehicle or mobile home that has been destroyed or  
 1758 permanently removed from the state shall, upon application to  
 1759 the department and surrender of the license plate or mobile home  
 1760 sticker issued for such vehicle, be entitled to a credit to  
 1761 apply to registration of any other vehicle in the name of the  
 1762 owner, if the amount is \$3 or more, for the unexpired period of  
 1763 the license. However, if the license plate surrendered is a  
 1764 "for-hire" license plate, the amount of credit may not be more

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1765 than one-half of the annual license tax amount. A credit ~~is will~~  
 1766 not ~~be~~ valid after the expiration date of the license plate  
 1767 which is current on the date of the credit, as provided in s.  
 1768 320.07. A motor vehicle or mobile home owner who renews a  
 1769 registration during the advanced renewal period as provided in  
 1770 s. 320.071 and who surrenders the motor vehicle or mobile home  
 1771 license plate before the end of the renewal period may apply for  
 1772 a refund of the license taxes assessed pursuant to s. 320.08.

1773 Section 42. Subsection (3) of section 320.27, Florida  
 1774 Statutes, is amended to read:

1775 320.27 Motor vehicle dealers.—

1776 (3) APPLICATION AND FEE.—The application for the license  
 1777 shall be in such form as may be prescribed by the department and  
 1778 shall be subject to such rules with respect thereto as may be so  
 1779 prescribed by it. Such application shall be verified by oath or  
 1780 affirmation and shall contain a full statement of the name and  
 1781 birth date of the person or persons applying therefor; the name  
 1782 of the firm or copartnership, with the names and places of  
 1783 residence of all members thereof, if such applicant is a firm or  
 1784 copartnership; the names and places of residence of the  
 1785 principal officers, if the applicant is a body corporate or  
 1786 other artificial body; the name of the state under whose laws  
 1787 the corporation is organized; the present and former place or  
 1788 places of residence of the applicant; and prior business in  
 1789 which the applicant has been engaged and the location thereof.  
 1790 Such application shall describe the exact location of the place  
 1791 of business and shall state whether the place of business is  
 1792 owned by the applicant and when acquired, or, if leased, a true



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1793 | copy of the lease shall be attached to the application. The  
1794 | applicant shall certify that the location provides an adequately  
1795 | equipped office and is not a residence; that the location  
1796 | affords sufficient unoccupied space upon and within which  
1797 | adequately to store all motor vehicles offered and displayed for  
1798 | sale; and that the location is a suitable place where the  
1799 | applicant can in good faith carry on such business and keep and  
1800 | maintain books, records, and files necessary to conduct such  
1801 | business, which shall ~~will~~ be available at all reasonable hours  
1802 | to inspection by the department or any of its inspectors or  
1803 | other employees. The applicant shall certify that the business  
1804 | of a motor vehicle dealer is the principal business which shall  
1805 | be conducted at that location. The ~~Such~~ application shall  
1806 | contain a statement that the applicant is either franchised by a  
1807 | manufacturer of motor vehicles, in which case the name of each  
1808 | motor vehicle that the applicant is franchised to sell shall be  
1809 | included, or an independent (nonfranchised) motor vehicle  
1810 | dealer. The ~~Such~~ application shall contain ~~such~~ other relevant  
1811 | information as may be required by the department, including  
1812 | evidence that the applicant is insured under a garage liability  
1813 | insurance policy or a general liability insurance policy coupled  
1814 | with a business automobile policy, which shall include, at a  
1815 | minimum, \$25,000 combined single-limit liability coverage  
1816 | including bodily injury and property damage protection and  
1817 | \$10,000 personal injury protection. However, a salvage motor  
1818 | vehicle dealer as defined in subparagraph (1)(c)5. is exempt  
1819 | from the requirements for garage liability insurance and  
1820 | personal injury protection insurance on those vehicles that

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1821 cannot be legally operated on roads, highways, or streets in  
1822 this state. Franchise dealers must submit a garage liability  
1823 insurance policy, and all other dealers must submit a garage  
1824 liability insurance policy or a general liability insurance  
1825 policy coupled with a business automobile policy. Such policy  
1826 shall be for the license period, and evidence of a new or  
1827 continued policy shall be delivered to the department at the  
1828 beginning of each license period. Upon making initial  
1829 application, the applicant shall pay to the department a fee of  
1830 \$300 in addition to any other fees now required by law.~~†~~ Upon  
1831 making a subsequent renewal application, the applicant shall pay  
1832 to the department a fee of \$75 in addition to any other fees now  
1833 required by law. Upon making an application for a change of  
1834 location, the person shall pay a fee of \$50 in addition to any  
1835 other fees now required by law. The department shall, in the  
1836 case of every application for initial licensure, verify whether  
1837 certain facts set forth in the application are true. Each  
1838 applicant, general partner in the case of a partnership, or  
1839 corporate officer and director in the case of a corporate  
1840 applicant, must file a set of fingerprints with the department  
1841 for the purpose of determining any prior criminal record or any  
1842 outstanding warrants. The department shall submit the  
1843 fingerprints to the Department of Law Enforcement for state  
1844 processing and forwarding to the Federal Bureau of Investigation  
1845 for federal processing. The actual cost of state and federal  
1846 processing shall be borne by the applicant and is in addition to  
1847 the fee for licensure. The department may issue a license to an  
1848 applicant pending the results of the fingerprint investigation,

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1849 | which license is fully revocable if the department subsequently  
 1850 | determines that any facts set forth in the application are not  
 1851 | true or correctly represented.

1852 |       Section 43. Subsection (1) of section 320.771, Florida  
 1853 | Statutes, is amended to read:

1854 |       320.771 License required of recreational vehicle dealers.—

1855 |       (1) DEFINITIONS.—As used in this section, the term:

1856 |       (a)1. "Dealer" means any person engaged in the business of  
 1857 | buying, selling, or dealing in recreational vehicles or offering  
 1858 | or displaying recreational vehicles for sale. The term "dealer"  
 1859 | includes a recreational vehicle broker. Any person who buys,  
 1860 | sells, deals in, or offers or displays for sale, or who acts as  
 1861 | the agent for the sale of, one or more recreational vehicles in  
 1862 | any 12-month period shall be prima facie presumed to be a  
 1863 | dealer. The terms "selling" and "sale" include lease-purchase  
 1864 | transactions. The term "dealer" does not include banks, credit  
 1865 | unions, and finance companies that acquire recreational vehicles  
 1866 | as an incident to their regular business and does not include  
 1867 | mobile home rental and leasing companies that sell recreational  
 1868 | vehicles to dealers licensed under this section.

1869 |       2. A licensed dealer may transact business in recreational  
 1870 | vehicles with a motor vehicle auction as defined in s.  
 1871 | 320.27(1)(c)4. Further, a licensed dealer may, at retail or  
 1872 | wholesale, sell a motor vehicle, as described in s.  
 1873 | 320.01(1)(a), acquired in exchange for the sale of a  
 1874 | recreational vehicle, if the ~~such~~ acquisition is incidental to  
 1875 | the principal business of being a recreational vehicle dealer.  
 1876 | However, a recreational vehicle dealer may not buy a motor

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1877 vehicle for the purpose of resale unless licensed as a motor  
 1878 vehicle dealer pursuant to s. 320.27. A dealer may apply for a  
 1879 certificate of title to a recreational vehicle required to be  
 1880 registered under s. 320.08(9), using a manufacturer's statement  
 1881 of origin as permitted by s. 319.23(1), only if the dealer is  
 1882 authorized by a manufacturer/dealer agreement, as defined in s.  
 1883 320.3202, on file with the department, to buy, sell, or deal in  
 1884 that particular line-make of recreational vehicle, and the  
 1885 dealer is authorized by the manufacturer/dealer agreement to  
 1886 perform delivery and preparation obligations and warranty defect  
 1887 adjustments on that line-make.

1888 (b) "Recreational vehicle broker" means any person who is  
 1889 engaged in the business of offering to procure or procuring used  
 1890 recreational vehicles for the general public; who holds himself  
 1891 or herself out through solicitation, advertisement, or otherwise  
 1892 as one who offers to procure or procures used recreational  
 1893 vehicles for the general public; or who acts as the agent or  
 1894 intermediary on behalf of the owner or seller of a used  
 1895 recreational vehicle which is for sale or who assists or  
 1896 represents the seller in finding a buyer for the recreational  
 1897 vehicle.

1898 (c) ~~For the purposes of this section, the term~~  
 1899 "Recreational vehicle" does not include any camping trailer, as  
 1900 defined in s. 320.01(1)(b)2.

1901 Section 44. Section 320.95, Florida Statutes, is amended  
 1902 to read:

1903 320.95 Transactions by electronic or telephonic means.—  
 1904 (1) The department may ~~is authorized to accept an any~~

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1905 application provided for under this chapter by electronic or  
 1906 telephonic means.

1907 (2) The department may collect electronic mail addresses  
 1908 and use electronic mail in lieu of the United States Postal  
 1909 Service for the purpose of providing renewal notices.

1910 Section 45. Section 322.04, Florida Statutes, is amended  
 1911 to read:

1912 322.04 Persons exempt from obtaining driver ~~driver's~~  
 1913 license.—

1914 (1) The following persons are exempt from obtaining a  
 1915 driver ~~driver's~~ license:

1916 (a) Any employee of the United States Government, while  
 1917 operating a noncommercial motor vehicle owned by or leased to  
 1918 the United States Government and being operated on official  
 1919 business.

1920 (b) Any person while driving or operating any road  
 1921 machine, farm tractor, or implement of husbandry temporarily  
 1922 operated or moved on a highway.

1923 (c) A nonresident who is at least 16 years of age  
 1924 operating and ~~who has in his or her immediate possession a valid~~  
 1925 ~~noncommercial driver's license issued to the nonresident in his~~  
 1926 ~~or her home state or country, may operate~~ a motor vehicle of the  
 1927 type for which a Class E driver ~~driver's~~ license is required in  
 1928 this state if the nonresident has in his or her immediate  
 1929 possession:

1930 1. A valid noncommercial driver license issued in his or  
 1931 her name from another state or territory of the United States;  
 1932 or

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1933            2. An International Driving Permit issued in his or her  
 1934 name in his or her country of residence and a valid license  
 1935 issued in that country.

1936            ~~(d) A nonresident who is at least 18 years of age and who~~  
 1937 ~~has in his or her immediate possession a valid noncommercial~~  
 1938 ~~driver's license issued to the nonresident in his or her home~~  
 1939 ~~state or country may operate a motor vehicle, other than a~~  
 1940 ~~commercial motor vehicle, in this state.~~

1941            (d)~~(e)~~ Any person operating a golf cart, as defined in s.  
 1942 320.01, which is operated in accordance with the provisions of  
 1943 s. 316.212.

1944            ~~(2) The provisions of~~ This section does ~~de~~ not apply to  
 1945 any person to whom s. 322.031 applies.

1946            (3) Any person working for a firm under contract to the  
 1947 United States Government, whose residence is outside ~~without~~  
 1948 this state and whose main point of employment is outside ~~without~~  
 1949 this state may drive a noncommercial vehicle on the public roads  
 1950 of this state for periods up to 60 days while in this state on  
 1951 temporary duty, if the ~~provided such~~ person has a valid driver  
 1952 ~~driver's~~ license from the state of the ~~such~~ person's residence.

1953            Section 46. Paragraph (a) of subsection (1) of section  
 1954 322.051, Florida Statutes, is amended, and subsection (9) is  
 1955 added to that section, to read::

1956            322.051 Identification cards.—

1957            (1) Any person who is 5 years of age or older, or any  
 1958 person who has a disability, regardless of age, who applies for  
 1959 a disabled parking permit under s. 320.0848, may be issued an  
 1960 identification card by the department upon completion of an

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1961 application and payment of an application fee.

1962 (a) The ~~Each such~~ application must ~~shall~~ include the

1963 following information regarding the applicant:

1964 1. Full name (first, middle or maiden, and last), gender,

1965 proof of social security card number satisfactory to the

1966 department, county of residence, mailing address, proof of

1967 residential address satisfactory to the department, country of

1968 birth, and a brief description.

1969 2. Proof of birth date satisfactory to the department.

1970 3. Proof of identity satisfactory to the department. Such

1971 proof must include one of the following documents issued to the

1972 applicant:

1973 a. A driver ~~driver's~~ license record or identification card

1974 record from another jurisdiction that required the applicant to

1975 submit a document for identification which is substantially

1976 similar to a document required under sub-subparagraph b., sub-

1977 subparagraph c., sub-subparagraph d., sub-subparagraph e., sub-

1978 subparagraph f., sub-subparagraph g., or sub-subparagraph h.;

1979 b. A certified copy of a United States birth certificate;

1980 c. A valid, unexpired United States passport;

1981 d. A naturalization certificate issued by the United

1982 States Department of Homeland Security;

1983 e. A valid, unexpired alien registration receipt card

1984 (green card);

1985 f. A Consular Report of Birth Abroad provided by the

1986 United States Department of State;

1987 g. An unexpired employment authorization card issued by

1988 the United States Department of Homeland Security; or

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1989 h. Proof of nonimmigrant classification provided by the  
 1990 United States Department of Homeland Security, for an original  
 1991 identification card. In order to prove ~~such~~ nonimmigrant  
 1992 classification, an applicant must provide at least one of  
 1993 ~~applicants may produce but are not limited to~~ the following  
 1994 documents. In addition, the department may require applicants to  
 1995 produce United States Department of Homeland Security documents  
 1996 for the sole purpose of establishing the maintenance of, or  
 1997 efforts to maintain, continuous lawful presence:

1998 (I) A notice of hearing from an immigration court  
 1999 scheduling a hearing on any proceeding.

2000 (II) A notice from the Board of Immigration Appeals  
 2001 acknowledging pendency of an appeal.

2002 (III) A notice of the approval of an application for  
 2003 adjustment of status issued by the United States Bureau of  
 2004 Citizenship and Immigration Services.

2005 (IV) An ~~Any~~ official documentation confirming the filing  
 2006 of a petition for asylum or refugee status or any other relief  
 2007 issued by the United States Bureau of Citizenship and  
 2008 Immigration Services.

2009 (V) A notice of action transferring any pending matter  
 2010 from another jurisdiction to Florida, issued by the United  
 2011 States Bureau of Citizenship and Immigration Services.

2012 (VI) An order of an immigration judge or immigration  
 2013 officer granting ~~any~~ relief that authorizes the alien to live  
 2014 and work in the United States, including, but not limited to,  
 2015 asylum.

2016 (VII) Evidence that an application is pending for



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2017 adjustment of status to that of an alien lawfully admitted for  
 2018 permanent residence in the United States or conditional  
 2019 permanent resident status in the United States, if a visa number  
 2020 is available having a current priority date for processing by  
 2021 the United States Bureau of Citizenship and Immigration  
 2022 Services.

2023 (VIII) On or after January 1, 2010, an unexpired foreign  
 2024 passport with an unexpired United States Visa affixed,  
 2025 accompanied by an approved I-94, documenting the most recent  
 2026 admittance into the United States.

2027  
 2028 An identification card issued based on documents required  
 2029 ~~Presentation of any of the documents described in sub-~~  
 2030 ~~subparagraph g. or sub-subparagraph h. is valid entitles the~~  
 2031 ~~applicant to an identification card~~ for a period not to exceed  
 2032 the expiration date of the document presented or 1 year,  
 2033 whichever ~~first~~ occurs first.

2034 (9) Notwithstanding any other provision of this section or  
 2035 s. 322.21 to the contrary, the department shall issue or renew a  
 2036 card at no charge to a person who presents evidence satisfactory  
 2037 to the department that he or she is homeless as defined in s.  
 2038 414.0252(7).

2039 Section 47. Subsection (4) of section 322.058, Florida  
 2040 Statutes, is amended to read:

2041 322.058 Suspension of driving privileges due to support  
 2042 delinquency; reinstatement.-

2043 (4) This section applies only to the annual renewal in the  
 2044 owner's birth month of a motor vehicle registration and does not

CODING: Words **stricken** are deletions; words **underlined** are additions.

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2045 apply to the transfer of a registration of a motor vehicle sold  
 2046 by a motor vehicle dealer licensed under chapter 320, except for  
 2047 the transfer of registrations which includes ~~is inclusive of~~ the  
 2048 annual renewals. This section does not affect the issuance of  
 2049 the title to a motor vehicle, notwithstanding s. 319.23(8)(b) ~~s.~~  
 2050 ~~319.23(7)(b)~~.

2051 Section 48. Section 322.065, Florida Statutes, is amended  
 2052 to read:

2053 322.065 Driver ~~Driver's~~ license expired for 6 4 months or  
 2054 less; penalties.—A Any person whose driver ~~driver's~~ license has  
 2055 been expired for 6 4 months or less and who drives a motor  
 2056 vehicle upon the highways of this state commits ~~is guilty of~~ an  
 2057 infraction and is subject to the penalty provided in s. 318.18.

2058 Section 49. Subsection (3) of section 322.07, Florida  
 2059 Statutes, is amended to read:

2060 322.07 Instruction permits and temporary licenses.—

2061 (3) Any person who, except for his or her lack of  
 2062 instruction in operating a commercial motor vehicle, would  
 2063 otherwise be qualified to obtain a commercial driver ~~driver's~~  
 2064 license under this chapter, may apply for a temporary commercial  
 2065 instruction permit. The department shall issue such a permit  
 2066 entitling the applicant, while having the permit in his or her  
 2067 immediate possession, to drive a commercial motor vehicle on the  
 2068 highways, if ~~provided that~~:

2069 (a) The applicant possesses a valid Florida driver  
 2070 ~~driver's~~ license ~~issued in any state~~; and

2071 (b) The applicant, while operating a commercial motor  
 2072 vehicle, is accompanied by a licensed driver who is 21 years of

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2073 age or older, who is licensed to operate the class of vehicle  
 2074 being operated, and who is ~~actually~~ occupying the closest seat  
 2075 to the right of the driver.

2076 Section 50. Paragraph (c) of subsection (2) and subsection  
 2077 (7) of section 322.08, Florida Statutes, are amended, and  
 2078 subsection (8) is added to that section, to read:

2079 322.08 Application for license; requirements for license  
 2080 and identification card forms.—

2081 (2) Each such application shall include the following  
 2082 information regarding the applicant:

2083 (c) Proof of identity satisfactory to the department. Such  
 2084 proof must include one of the following documents issued to the  
 2085 applicant:

2086 1. A driver ~~driver's~~ license record or identification card  
 2087 record from another jurisdiction that required the applicant to  
 2088 submit a document for identification which is substantially  
 2089 similar to a document required under subparagraph 2.,  
 2090 subparagraph 3., subparagraph 4., subparagraph 5., subparagraph  
 2091 6., subparagraph 7., or subparagraph 8.;

2092 2. A certified copy of a United States birth certificate;

2093 3. A valid, unexpired United States passport;

2094 4. A naturalization certificate issued by the United  
 2095 States Department of Homeland Security;

2096 5. A valid, unexpired alien registration receipt card  
 2097 (green card);

2098 6. A Consular Report of Birth Abroad provided by the  
 2099 United States Department of State;

2100 7. An unexpired employment authorization card issued by

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2101 the United States Department of Homeland Security; or  
 2102 8. Proof of nonimmigrant classification provided by the  
 2103 United States Department of Homeland Security, for an original  
 2104 driver ~~driver's~~ license. In order to prove nonimmigrant  
 2105 classification, an applicant must provide at least one of the  
 2106 following documents. In addition, the department may require  
 2107 applicants to produce United States Department of Homeland  
 2108 Security documents for the sole purpose of establishing the  
 2109 maintenance of, or efforts to maintain, continuous lawful  
 2110 presence ~~may produce the following documents, including, but not~~  
 2111 ~~limited to:~~  
 2112 a. A notice of hearing from an immigration court  
 2113 scheduling a hearing on any proceeding.  
 2114 b. A notice from the Board of Immigration Appeals  
 2115 acknowledging pendency of an appeal.  
 2116 c. A notice of the approval of an application for  
 2117 adjustment of status issued by the United States Bureau of  
 2118 Citizenship and Immigration Services.  
 2119 d. An ~~Any~~ official documentation confirming the filing of  
 2120 a petition for asylum or refugee status or any other relief  
 2121 issued by the United States Bureau of Citizenship and  
 2122 Immigration Services.  
 2123 e. A notice of action transferring any pending matter from  
 2124 another jurisdiction to this state issued by the United States  
 2125 Bureau of Citizenship and Immigration Services.  
 2126 f. An order of an immigration judge or immigration officer  
 2127 granting ~~any~~ relief that authorizes the alien to live and work  
 2128 in the United States, including, but not limited to, asylum.

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2129 g. Evidence that an application is pending for adjustment  
 2130 of status to that of an alien lawfully admitted for permanent  
 2131 residence in the United States or conditional permanent resident  
 2132 status in the United States, if a visa number is available  
 2133 having a current priority date for processing by the United  
 2134 States Bureau of Citizenship and Immigration Services.

2135 h. On or after January 1, 2010, an unexpired foreign  
 2136 passport with an unexpired United States Visa affixed,  
 2137 accompanied by an approved I-94, documenting the most recent  
 2138 admittance into the United States.

2139  
 2140 A driver license or temporary permit issued based on documents  
 2141 required ~~Presentation of any of the documents~~ in subparagraph 7.  
 2142 or subparagraph 8. is valid ~~entitles the applicant to a driver's~~  
 2143 ~~license or temporary permit~~ for a period not to exceed the  
 2144 expiration date of the document presented or 1 year, ~~whichever~~  
 2145 ~~occurs first.~~

2146 (7) The application form for an original, renewal, or  
 2147 replacement driver ~~driver's~~ license or identification card shall  
 2148 include language permitting the following:

2149 (a) A voluntary contribution of \$1 per applicant, which  
 2150 contribution shall be deposited into the Health Care Trust Fund  
 2151 for organ and tissue donor education and for maintaining the  
 2152 organ and tissue donor registry.

2153 (b) A voluntary contribution of \$1 per applicant, which  
 2154 contribution shall be distributed to the Florida Council of the  
 2155 Blind.

2156 (c) A voluntary contribution of \$2 per applicant, which

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2157 shall be distributed to the Hearing Research Institute,  
 2158 Incorporated.

2159 (d) A voluntary contribution of \$1 per applicant, which  
 2160 shall be distributed to the Juvenile Diabetes Foundation  
 2161 International.

2162 (e) A voluntary contribution of \$1 per applicant, which  
 2163 shall be distributed to the Children's Hearing Help Fund.

2164 (f) A voluntary contribution of \$1 per applicant, which  
 2165 shall be distributed to Family First, a nonprofit organization.

2166 (g) A voluntary contribution of \$1 per applicant to Stop  
 2167 Heart Disease, which shall be distributed to the Florida Heart  
 2168 Research Institute, a nonprofit organization.

2169 (h) A voluntary contribution of \$1 per applicant to Senior  
 2170 Vision Services, which shall be distributed to the Florida  
 2171 Association of Agencies Serving the Blind, Inc., a not-for-  
 2172 profit organization.

2173 (i) A voluntary contribution of \$1 per applicant for  
 2174 services for persons with developmental disabilities, which  
 2175 shall be distributed to The Arc of Florida.

2176 (j) A voluntary contribution of \$1 to the Ronald McDonald  
 2177 House, which shall be distributed each month to Ronald McDonald  
 2178 House Charities of Tampa Bay, Inc.

2179 (k) Notwithstanding s. 322.081, a voluntary contribution  
 2180 of \$1 per applicant, which shall be distributed to the League  
 2181 Against Cancer/La Liga Contra el Cancer, a not-for-profit  
 2182 organization.

2183 (l) A voluntary contribution of \$1 per applicant to  
 2184 Prevent Child Sexual Abuse, which shall be distributed to

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2185 Lauren's Kids, Inc., a nonprofit organization.

2186 (m) A voluntary contribution of \$1 per applicant, which  
 2187 shall be distributed to Prevent Blindness Florida, a not-for-  
 2188 profit organization, to prevent blindness and preserve the sight  
 2189 of the residents of this state.

2190 (n) Notwithstanding s. 322.081, a voluntary contribution  
 2191 of \$1 per applicant to the state homes for veterans, to be  
 2192 distributed on a quarterly basis by the department to the State  
 2193 Homes for Veterans Trust Fund, which is administered by the  
 2194 Department of Veterans' Affairs.

2195 (o) A voluntary contribution of \$1 per applicant to the  
 2196 Disabled American Veterans, Department of Florida, which shall  
 2197 be distributed quarterly to Disabled American Veterans,  
 2198 Department of Florida, a nonprofit organization.

2199 (p) A voluntary contribution of \$1 per applicant for  
 2200 Autism Services and Supports. Such contributions must be  
 2201 transferred by the department to the Achievement and  
 2202 Rehabilitation Centers, Inc., Autism Services Fund.

2203 (q) A voluntary contribution of \$1 per applicant to  
 2204 Support Our Troops, which shall be distributed to Support Our  
 2205 Troops, Inc., a Florida not-for-profit organization.

2206  
 2207 A statement providing an explanation of the purpose of the trust  
 2208 funds shall also be included. For the purpose of applying the  
 2209 service charge provided in s. 215.20, contributions received  
 2210 under paragraphs (b)-(q) ~~(b)-(e)~~ are not income of a revenue  
 2211 nature.

2212 (8) The department may collect electronic mail addresses

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2213 and use electronic mail in lieu of the United States Postal  
 2214 Service for the purpose of providing renewal notices.

2215 Section 51. Paragraph (c) of subsection (2) and subsection  
 2216 (5) of section 322.121, Florida Statutes, are amended to read:

2217 322.121 Periodic reexamination of all drivers.—

2218 (2) For each licensee whose driving record does not show  
 2219 any revocations, disqualifications, or suspensions for the  
 2220 preceding 7 years or any convictions for the preceding 3 years  
 2221 except for convictions of the following nonmoving violations:

2222 (c) Operating a motor vehicle with an expired license that  
 2223 has been expired for 6 4 months or less pursuant to s. 322.065;

2224

2225 the department shall cause such licensee's license to be  
 2226 prominently marked with the notation "Safe Driver."

2227 (5) Members of the Armed Forces, or their dependents  
 2228 residing with them, shall be granted an automatic extension for  
 2229 the expiration of their Class E licenses without reexamination  
 2230 while serving on active duty outside this state. This extension  
 2231 is valid for 90 days after the member of the Armed Forces is  
 2232 either discharged or returns to this state to live.

2233 Section 52. Paragraph (a) of subsection (1) of section  
 2234 322.14, Florida Statutes, is amended to read:

2235 322.14 Licenses issued to drivers.—

2236 (1)(a) The department shall, upon successful completion of  
 2237 all required examinations and payment of the required fee, issue  
 2238 to every qualified applicant ~~qualifying therefor,~~ a driver  
 2239 ~~driver's~~ license that must ~~as applied for,~~ which license shall  
 2240 bear ~~thereon~~ a color photograph or digital image of the



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2241 licensee; the name of the state; a distinguishing number  
 2242 assigned to the licensee; and the licensee's full name, date of  
 2243 birth, and residence address; a brief description of the  
 2244 licensee, including, but not limited to, the licensee's gender  
 2245 and height; and the dates of issuance and expiration of the  
 2246 license. A space shall be provided upon which the licensee shall  
 2247 affix his or her usual signature. ~~A No license is invalid shall~~  
 2248 ~~be valid~~ until it has been ~~so~~ signed by the licensee except that  
 2249 the signature of ~~the said licensee is not shall not be~~ required  
 2250 if it appears thereon in facsimile or if the licensee is not  
 2251 present within the state at the time of issuance. ~~Applicants~~  
 2252 ~~qualifying to receive a Class A, Class B, or Class C driver's~~  
 2253 ~~license must appear in person within the state for issuance of a~~  
 2254 ~~color photographic or digital imaged driver's license pursuant~~  
 2255 ~~to s. 322.142.~~

2256 Section 53. Section 322.1415, Florida Statutes, is created  
 2257 to read:

2258 322.1415 Specialty driver license and identification card  
 2259 program.—

2260 (1) The department may issue to any applicant qualified  
 2261 pursuant to s. 322.14 a specialty driver license or  
 2262 identification card upon payment of the appropriate fee pursuant  
 2263 to s. 322.21.

2264 (2) Any specialty driver license or identification card  
 2265 approved by the department shall, at a minimum, be available for  
 2266 state and independent universities domiciled in this state, all  
 2267 Florida professional sports teams designated pursuant to s.  
 2268 320.08058(9)(a), and all branches of the United States Armed

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2269 Forces.

2270 (3) The design and use of each specialty driver license

2271 and identification card must be approved by the department and

2272 the organization that is recognized by the driver license or

2273 card.

2274 (4) Organizations receiving funds from this program shall

2275 attest, under penalties of perjury, pursuant to s. 320.08062

2276 that the funds have been expended in the same manner as provided

2277 in s. 320.08058. On December 1 of each year, the department

2278 shall deliver an annual report to the President of the Senate

2279 and the Speaker of the House of Representatives which addresses

2280 the viability of the program and details the amounts distributed

2281 to each entity.

2282 (5) This section is repealed August 31, 2016.

2283 Section 54. Subsection (4) of section 322.142, Florida

2284 Statutes, is amended to read:

2285 322.142 Color photographic or digital imaged licenses.—

2286 (4) The department may maintain a film negative or print

2287 file. The department shall maintain a record of the digital

2288 image and signature of the licensees, together with other data

2289 required by the department for identification and retrieval.

2290 Reproductions from the file or digital record are exempt from

2291 the provisions of s. 119.07(1) and shall be made and issued only

2292 for departmental administrative purposes; for the issuance of

2293 duplicate licenses; in response to law enforcement agency

2294 requests; to the Department of Business and Professional

2295 Regulation pursuant to an interagency agreement for the purpose

2296 of accessing digital images for reproduction of licenses issued

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2297 by the Department of Business and Professional Regulation; to  
 2298 the Department of State pursuant to an interagency agreement to  
 2299 facilitate determinations of eligibility of voter registration  
 2300 applicants and registered voters in accordance with ss. 98.045  
 2301 and 98.075; to the Department of Revenue pursuant to an  
 2302 interagency agreement for use in establishing paternity and  
 2303 establishing, modifying, or enforcing support obligations in  
 2304 Title IV-D cases; to the Department of Children and Family  
 2305 Services pursuant to an interagency agreement to conduct  
 2306 protective investigations under part III of chapter 39 and  
 2307 chapter 415; to the Department of Children and Family Services  
 2308 pursuant to an interagency agreement specifying the number of  
 2309 employees in each of that department's regions to be granted  
 2310 access to the records for use as verification of identity to  
 2311 expedite the determination of eligibility for public assistance  
 2312 and for use in public assistance fraud investigations; ~~or~~ to the  
 2313 Department of Financial Services pursuant to an interagency  
 2314 agreement to facilitate the location of owners of unclaimed  
 2315 property, the validation of unclaimed property claims, and the  
 2316 identification of fraudulent or false claims; or to district  
 2317 medical examiners pursuant to an interagency agreement for the  
 2318 purpose of identifying a deceased individual, determining cause  
 2319 of death, and notifying next of kin of any investigations,  
 2320 including autopsies and other laboratory examinations,  
 2321 authorized in s. 406.011.

2322 Section 55. Subsection (2) of section 322.19, Florida  
 2323 Statutes, is amended to read:

2324 322.19 Change of address or name.—

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2325 (2) Whenever any person, after applying for or receiving a  
 2326 driver ~~driver's~~ license, changes the legal residence or mailing  
 2327 address in the application or license, the person must, within  
 2328 10 calendar days after making the change, obtain a replacement  
 2329 license that reflects the change. A written request to the  
 2330 department must include the old and new addresses and the driver  
 2331 ~~driver's~~ license number. Any person who has a valid, current  
 2332 student identification card issued by an educational institution  
 2333 in this state is presumed not to have changed his or her legal  
 2334 residence or mailing address. This subsection does not affect  
 2335 any person required to register a permanent or temporary address  
 2336 change pursuant to s. 775.13, s. 775.21, s. 775.25, or s.  
 2337 943.0435.

2338 Section 56. Paragraph (i) is added to subsection (1) of  
 2339 section 322.21, Florida Statutes, to read:

2340 322.21 License fees; procedure for handling and collecting  
 2341 fees.—

2342 (1) Except as otherwise provided herein, the fee for:

2343 (i) The specialty driver license or identification card  
 2344 issued pursuant to s. 322.1415 is \$25, which is in addition to  
 2345 other fees required in this section. The fee shall be  
 2346 distributed as follows:

2347 1. Fifty percent shall be distributed as provided in s.  
 2348 320.08058 to the appropriate state or independent university,  
 2349 professional sports team, or branch of the United States Armed  
 2350 Forces.

2351 2. Fifty percent shall be distributed to the department  
 2352 for costs directly related to the specialty driver license and

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2353 identification card program and to defray the costs associated  
 2354 with production enhancements and distribution.

2355 Section 57. Subsection (2) of section 322.251, Florida  
 2356 Statutes, is amended to read:

2357 322.251 Notice of cancellation, suspension, revocation, or  
 2358 disqualification of license.—

2359 (2) The giving of notice and an order of cancellation,  
 2360 suspension, revocation, or disqualification by mail is complete  
 2361 upon expiration of 20 days after deposit in the United States  
 2362 mail for all notices except those issued under chapter 324 or  
 2363 ss. 627.732–627.734, which are complete 15 days after deposit in  
 2364 the United States mail. Proof of the giving of notice and an  
 2365 order of cancellation, suspension, revocation, or  
 2366 disqualification in either ~~such~~ manner shall be made by entry in  
 2367 the records of the department that such notice was given. The  
 2368 ~~Such~~ entry ~~is shall be~~ is admissible in the courts of this state  
 2369 and constitutes ~~shall constitute~~ sufficient proof that such  
 2370 notice was given.

2371 Section 58. Section 322.27, Florida Statutes, is amended  
 2372 to read:

2373 322.27 Authority of department to suspend or revoke driver  
 2374 license or identification card.—

2375 (1) Notwithstanding any provisions to the contrary in  
 2376 chapter 120, the department may ~~is hereby authorized to~~ suspend  
 2377 the license or identification card of any person without  
 2378 preliminary hearing upon a showing of its records or other  
 2379 sufficient evidence that the licensee or cardholder:

2380 (a) Has committed an offense for which mandatory

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2381 revocation of license is required upon conviction. A law  
 2382 enforcement agency must provide information to the department  
 2383 within 24 hours after any traffic fatality or when the law  
 2384 enforcement agency initiates action pursuant to s. 316.1933;  
 2385 (b) Has been convicted of a violation of any traffic law  
 2386 which resulted in a crash that caused the death or personal  
 2387 injury of another or property damage in excess of \$500;  
 2388 (c) Is incompetent to drive a motor vehicle;  
 2389 (d) Has permitted an unlawful or fraudulent use of the  
 2390 ~~such~~ license or identification card or has knowingly been a  
 2391 party to the obtaining of a license or identification card by  
 2392 fraud or misrepresentation or to the display, or representation  
 2393 ~~represent~~ as one's own, of a driver any driver's license or  
 2394 identification card not issued to him or her. ~~Provided, however,~~  
 2395 ~~no provision of~~ This section does not ~~shall be construed to~~  
 2396 include the provisions of s. 322.32(1);  
 2397 (e) Has committed an offense in another state which, if  
 2398 committed in this state, would be grounds for suspension or  
 2399 revocation; or  
 2400 (f) Has committed a second or subsequent violation of s.  
 2401 316.172(1) within a 5-year period of any previous violation.  
 2402 (2) The department shall suspend the license of any person  
 2403 without preliminary hearing upon a showing of its records that  
 2404 the licensee has been convicted in any court having jurisdiction  
 2405 over offenses committed under this chapter or any other law of  
 2406 this state regulating the operation of a motor vehicle on the  
 2407 highways, upon direction of the court, when the court feels that  
 2408 the seriousness of the offense and the circumstances surrounding

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2409 | the conviction warrant the suspension of the licensee's driving  
2410 | privilege.

2411 |       (3) There is established a point system for evaluation of  
2412 | convictions of violations of motor vehicle laws or ordinances,  
2413 | and violations of applicable provisions of s. 403.413(6) (b) when  
2414 | such violations involve the use of motor vehicles, for the  
2415 | determination of the continuing qualification of any person to  
2416 | operate a motor vehicle. The department is authorized to suspend  
2417 | the license of any person upon showing of its records or other  
2418 | good and sufficient evidence that the licensee has been  
2419 | convicted of violation of motor vehicle laws or ordinances, or  
2420 | applicable provisions of s. 403.413(6) (b), amounting to 12 or  
2421 | more points as determined by the point system. The suspension  
2422 | shall be for a period of not more than 1 year.

2423 |       (a) When a licensee accumulates 12 points within a 12-  
2424 | month period, the period of suspension shall be for not more  
2425 | than 30 days.

2426 |       (b) When a licensee accumulates 18 points, including  
2427 | points upon which suspension action is taken under paragraph  
2428 | (a), within an 18-month period, the suspension shall be for a  
2429 | period of not more than 3 months.

2430 |       (c) When a licensee accumulates 24 points, including  
2431 | points upon which suspension action is taken under paragraphs  
2432 | (a) and (b), within a 36-month period, the suspension shall be  
2433 | for a period of not more than 1 year.

2434 |       (d) The point system shall have as its basic element a  
2435 | graduated scale of points assigning relative values to  
2436 | convictions of the following violations:

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- 2437 1. Reckless driving, willful and wanton—4 points.
- 2438 2. Leaving the scene of a crash resulting in property
- 2439 damage of more than \$50—6 points.
- 2440 3. Unlawful speed resulting in a crash—6 points.
- 2441 4. Passing a stopped school bus—4 points.
- 2442 5. Unlawful speed:
- 2443 a. Not in excess of 15 miles per hour of lawful or posted
- 2444 speed—3 points.
- 2445 b. In excess of 15 miles per hour of lawful or posted
- 2446 speed—4 points.
- 2447 6. A violation of a traffic control signal device as
- 2448 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
- 2449 However, no points shall be imposed for a violation of s.
- 2450 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
- 2451 stop at a traffic signal and when enforced by a traffic
- 2452 infraction enforcement officer. In addition, a violation of s.
- 2453 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
- 2454 stop at a traffic signal and when enforced by a traffic
- 2455 infraction enforcement officer may not be used for purposes of
- 2456 setting motor vehicle insurance rates.
- 2457 7. All other moving violations (including parking on a
- 2458 highway outside the limits of a municipality)—3 points. However,
- 2459 no points shall be imposed for a violation of s. 316.0741 or s.
- 2460 316.2065(12); and points shall be imposed for a violation of s.
- 2461 316.1001 only when imposed by the court after a hearing pursuant
- 2462 to s. 318.14(5).
- 2463 8. Any moving violation covered above, excluding unlawful
- 2464 speed, resulting in a crash—4 points.



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2465 9. Any conviction under s. 403.413(6)(b)—3 points.  
 2466 10. Any conviction under s. 316.0775(2)—4 points.  
 2467 (e) A conviction in another state of a violation therein  
 2468 which, if committed in this state, would be a violation of the  
 2469 traffic laws of this state, or a conviction of an offense under  
 2470 any federal law substantially conforming to the traffic laws of  
 2471 this state, except a violation of s. 322.26, may be recorded  
 2472 against a driver on the basis of the same number of points  
 2473 received had the conviction been made in a court of this state.  
 2474 (f) In computing the total number of points, when the  
 2475 licensee reaches the danger zone, the department is authorized  
 2476 to send the licensee a warning letter advising that any further  
 2477 convictions may result in suspension of his or her driving  
 2478 privilege.  
 2479 (g) The department shall administer and enforce the  
 2480 provisions of this law and may make rules and regulations  
 2481 necessary for its administration.  
 2482 (h) Three points shall be deducted from the driver history  
 2483 record of any person whose driving privilege has been suspended  
 2484 only once pursuant to this subsection and has been reinstated,  
 2485 if such person has complied with all other requirements of this  
 2486 chapter.  
 2487 (i) This subsection does ~~shall~~ not apply to persons  
 2488 operating a nonmotorized vehicle for which a driver ~~driver's~~  
 2489 license is not required.  
 2490 (4) The department, in computing the points and period of  
 2491 time for suspensions under this section, shall use the offense  
 2492 date of all convictions.

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2493 (5) The department shall revoke the license of any person  
 2494 designated a habitual offender, as set forth in s. 322.264, and  
 2495 such person is ~~shall~~ not be eligible to be relicensed for a  
 2496 minimum of 5 years from the date of revocation, except as  
 2497 provided for in s. 322.271. Any person whose license is revoked  
 2498 may, by petition to the department, show cause why his or her  
 2499 license should not be revoked.

2500 (6) The department shall revoke the driving privilege of  
 2501 any person who is convicted of a felony for the possession of a  
 2502 controlled substance if, at the time of such possession, the  
 2503 person was driving or in actual physical control of a motor  
 2504 vehicle. A person whose driving privilege has been revoked  
 2505 pursuant to this subsection is ~~shall~~ not be eligible to receive  
 2506 a limited business or employment purpose license during the term  
 2507 of such revocation.

2508 (7) Review of an order of suspension or revocation shall  
 2509 be by writ of certiorari as provided in s. 322.31.

2510 Section 59. Subsection (5) of section 322.292, Florida  
 2511 Statutes, is repealed.

2512 Section 60. Subsection (2) of section 322.53, Florida  
 2513 Statutes, is amended to read:

2514 322.53 License required; exemptions.—

2515 (2) The following persons are exempt from the requirement  
 2516 to obtain a commercial driver ~~driver's~~ license:

2517 (a) Drivers of authorized emergency vehicles.

2518 (b) Military personnel driving vehicles operated for  
 2519 military purposes.

2520 (c) Farmers transporting agricultural products, farm

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2521 supplies, or farm machinery to or from their farms and within  
 2522 150 miles of their farms farm, if the vehicle operated under  
 2523 this exemption is not used in the operations of a common or  
 2524 contract motor carrier ~~or transporting agricultural products to~~  
 2525 ~~or from the first place of storage or processing or directly to~~  
 2526 ~~or from market, within 150 miles of their farm.~~

2527 (d) Drivers of recreational vehicles, as defined in s.  
 2528 320.01.

2529 (e) Drivers who operate straight trucks, as defined in s.  
 2530 316.003, and who ~~that~~ are ~~exclusively~~ exclusively  
 2531 their own tangible personal property, which is not for sale.

2532 (f) Employees ~~An employee~~ of a publicly owned transit  
 2533 system who are ~~is~~ limited to moving vehicles for maintenance or  
 2534 parking purposes exclusively within the restricted-access  
 2535 confines of a transit system's property.

2536 Section 61. Subsection (2) of section 322.54, Florida  
 2537 Statutes, is amended to read:

2538 322.54 Classification.—

2539 (2) The department shall issue, pursuant to the  
 2540 requirements of this chapter, driver ~~drivers'~~ licenses in  
 2541 accordance with the following classifications:

2542 (a) Any person who drives a motor vehicle combination  
 2543 having a gross vehicle weight rating or gross vehicle weight of  
 2544 26,001 pounds or more must possess a valid Class A driver  
 2545 ~~driver's~~ license, if ~~provided~~ the gross vehicle weight rating or  
 2546 gross vehicle weight of the vehicle being towed is more than  
 2547 10,000 pounds. Any person who possesses a valid Class A driver  
 2548 ~~driver's~~ license may, subject to the appropriate restrictions

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2549 and endorsements, drive any class of motor vehicle within this  
 2550 state.

2551 (b) Any person, except a person who possesses a valid  
 2552 Class A driver ~~driver's~~ license, who drives a motor vehicle  
 2553 having a gross vehicle weight rating or gross vehicle weight of  
 2554 26,001 pounds or more must possess a valid Class B driver  
 2555 ~~driver's~~ license. Any person, except a person who possesses a  
 2556 valid Class A driver ~~driver's~~ license, who drives such vehicle  
 2557 towing a vehicle having a gross vehicle weight rating of 10,000  
 2558 pounds or less must possess a valid Class B driver ~~driver's~~  
 2559 license. Any person who possesses a valid Class B driver  
 2560 ~~driver's~~ license may, subject to the appropriate restrictions  
 2561 and endorsements, drive any class of motor vehicle, other than  
 2562 the type of motor vehicle for which a Class A driver ~~driver's~~  
 2563 license is required, within this state.

2564 (c) Any person, except a person who possesses a valid  
 2565 Class A or a valid Class B driver ~~driver's~~ license, who drives a  
 2566 motor vehicle having a gross vehicle weight rating of less than  
 2567 26,001 pounds and who is required to obtain an endorsement  
 2568 pursuant to paragraph (1) (b), paragraph (1) (c), or paragraph  
 2569 (1) (e) of s. 322.57, must possess a valid Class C driver  
 2570 ~~driver's~~ license. Any person who possesses a valid Class C  
 2571 driver ~~driver's~~ license may, subject to the appropriate  
 2572 restrictions and endorsements, drive any class of motor vehicle,  
 2573 other than the type of motor vehicle for which a Class A or a  
 2574 Class B driver ~~driver's~~ license is required, within this state.

2575 (d) Any person, except a person who possesses a valid  
 2576 Class A, valid Class B, or valid Class C driver ~~driver's~~

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2577 license, who drives a motor vehicle must possess a valid Class E  
 2578 driver ~~driver's~~ license. Any person who possesses a valid Class  
 2579 E driver ~~driver's~~ license may, subject to the appropriate  
 2580 restrictions and endorsements, drive any type of motor vehicle,  
 2581 other than the type of motor vehicle for which a Class A, Class  
 2582 B, or Class C driver ~~driver's~~ license is required, within this  
 2583 state.

2584 Section 62. Section 322.58, Florida Statutes, is repealed.

2585 Section 63. Section 322.59, Florida Statutes, is amended  
 2586 to read:

2587 322.59 Possession of medical examiner's certificate.—

2588 (1) The department may ~~shall~~ not issue a commercial driver  
 2589 ~~driver's~~ license to a ~~any~~ person who is required by the laws of  
 2590 this state or by federal law to possess a medical examiner's  
 2591 certificate, unless the ~~such~~ person presents a valid  
 2592 certificate, as described in 49 C.F.R. s. 383.71, before ~~prior~~  
 2593 ~~to~~ licensure.

2594 (2) The department shall disqualify a driver from  
 2595 operating a commercial motor vehicle if the driver holds a  
 2596 commercial driver license and fails to comply with the medical  
 2597 certification requirements in 49 C.F.R. s. 383.71 ~~This section~~  
 2598 ~~does not expand the requirements as to who must possess a~~  
 2599 ~~medical examiner's certificate.~~

2600 (3) A person who is disqualified from operating a  
 2601 commercial motor vehicle under this section may, if otherwise  
 2602 qualified, be issued a Class E driver license pursuant to s.  
 2603 322.251.

2604 Section 64. Subsections (3) and (5) of section 322.61,

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2605 Florida Statutes, are amended to read:

2606 322.61 Disqualification from operating a commercial motor  
2607 vehicle.—

2608 (3) (a) Except as provided in subsection (4), any person  
2609 who is convicted of one of the offenses listed in paragraph (b)  
2610 while operating a commercial motor vehicle shall, in addition to  
2611 any other applicable penalties, be disqualified from operating a  
2612 commercial motor vehicle for a period of 1 year.÷

2613 (b) Except as provided in subsection (4), any holder of a  
2614 commercial driver ~~driver's~~ license who is convicted of one of  
2615 the offenses listed in this paragraph while operating a  
2616 noncommercial motor vehicle shall, in addition to any other  
2617 applicable penalties, be disqualified from operating a  
2618 commercial motor vehicle for a period of 1 year:

2619 1. Driving a motor vehicle while he or she is under the  
2620 influence of alcohol or a controlled substance;

2621 2. Driving a commercial motor vehicle while the alcohol  
2622 concentration of his or her blood, breath, or urine is .04  
2623 percent or higher;

2624 3. Leaving the scene of a crash involving a motor vehicle  
2625 driven by such person;

2626 4. Using a motor vehicle in the commission of a felony;

2627 5. Driving a commercial motor vehicle while in possession  
2628 of a controlled substance;

2629 6. Refusing to submit to a test to determine his or her  
2630 alcohol concentration while driving a motor vehicle;

2631 7. Driving a commercial vehicle while the licenseholder's  
2632 commercial driver ~~driver's~~ license is suspended, revoked, or

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2633 canceled or while the licenseholder is disqualified from driving  
 2634 a commercial vehicle; or

2635 8. Causing a fatality through the negligent operation of a  
 2636 commercial motor vehicle.

2637 (5) A ~~Any~~ person who is convicted of two violations  
 2638 specified in subsection (3) which were committed while operating  
 2639 a commercial motor vehicle, or any combination thereof, arising  
 2640 in separate incidents shall be permanently disqualified from  
 2641 operating a commercial motor vehicle. A ~~Any~~ holder of a  
 2642 commercial driver ~~driver's~~ license who is convicted of two  
 2643 violations specified in subsection (3) which were committed  
 2644 while operating any ~~a noncommercial~~ motor vehicle, ~~or any~~  
 2645 ~~combination thereof~~, arising in separate incidents shall be  
 2646 permanently disqualified from operating a commercial motor  
 2647 vehicle. The penalty provided in this subsection is in addition  
 2648 to any other applicable penalty.

2649 Section 65. Subsection (1) of section 324.072, Florida  
 2650 Statutes, is amended to read:

2651 324.072 Proof required upon certain convictions.—

2652 (1) Upon the suspension or revocation of a license  
 2653 pursuant to ~~the provisions of~~ s. 322.26 or s. 322.27, the  
 2654 department shall suspend the registration for all motor vehicles  
 2655 registered in the name of the licensee ~~such person~~, either  
 2656 individually or jointly with another. However, the department  
 2657 may, ~~except that it shall not suspend~~ the ~~such~~ registration,  
 2658 unless otherwise required by law, if the ~~such~~ person had  
 2659 insurance coverage limits required under s. 324.031 on the date  
 2660 of the latest offense that caused the suspension or revocation,

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2661 or has previously given or shall immediately give, and  
 2662 thereafter maintain, proof of financial responsibility with  
 2663 respect to all motor vehicles registered by the ~~such~~ person, in  
 2664 accordance with this chapter.

2665 Section 66. Subsection (1) of section 324.091, Florida  
 2666 Statutes, is amended to read:

2667 324.091 Notice to department; notice to insurer.—

2668 (1) Each owner and operator involved in a crash or  
 2669 conviction case within the purview of this chapter shall furnish  
 2670 evidence of automobile liability insurance, motor vehicle  
 2671 liability insurance, or a surety bond within 14 ~~30~~ days after  
 2672 ~~from~~ the date of the mailing of notice of crash by the  
 2673 department in the ~~such~~ form and manner as it may designate. Upon  
 2674 receipt of evidence that an automobile liability policy, motor  
 2675 vehicle liability policy, or surety bond was in effect at the  
 2676 time of the crash or conviction case, the department shall  
 2677 forward by United States mail, postage prepaid, to the insurer  
 2678 or surety insurer a copy of such information and shall assume  
 2679 that the ~~such~~ policy or bond was in effect, unless the insurer  
 2680 or surety insurer notifies ~~shall notify~~ the department otherwise  
 2681 within 20 days after ~~from~~ the mailing of the notice to the  
 2682 insurer or surety insurer. However, ~~provided that~~ if the  
 2683 department ~~shall~~ later determines ~~ascertain~~ that an automobile  
 2684 liability policy, motor vehicle liability policy, or surety bond  
 2685 was not in effect and did not provide coverage for both the  
 2686 owner and the operator, it shall ~~at such time~~ take ~~such~~  
 2687 as it is otherwise authorized to do under this chapter. Proof of  
 2688 mailing to the insurer or surety insurer may be made by the



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2689 department by naming the insurer or surety insurer to whom the  
 2690 ~~such~~ mailing was made and by specifying the time, place, and  
 2691 manner of mailing.

2692 Section 67. Subsection (5) of section 328.15, Florida  
 2693 Statutes, is amended to read:

2694 328.15 Notice of lien on vessel; recording.—

2695 (5) (a) The Department of Highway Safety and Motor Vehicles  
 2696 shall adopt ~~make such~~ rules to administer and regulations as it  
 2697 ~~deems necessary or proper for the effective administration of~~  
 2698 this section law. The department may by rule require that a  
 2699 notice of satisfaction of a lien be notarized. The department  
 2700 shall prepare the forms of the notice of lien and the  
 2701 satisfaction of lien to be supplied, at a charge not to exceed  
 2702 50 percent more than cost, to applicants for recording the liens  
 2703 or satisfactions and shall keep a record of such notices of lien  
 2704 and satisfactions available for inspection by the public at all  
 2705 reasonable times. The division may ~~is authorized to~~ furnish  
 2706 certified copies of such satisfactions for a fee of \$1, which  
 2707 are certified copies ~~shall be~~ admissible in evidence in all  
 2708 courts of this state under the same conditions and to the same  
 2709 effect as certified copies of other public records.

2710 (b) The department shall establish and administer an  
 2711 electronic titling program that requires the recording of vessel  
 2712 title information for new, transferred, and corrected  
 2713 certificates of title. Lienholders shall electronically transmit  
 2714 liens and lien satisfactions to the department in a format  
 2715 determined by the department. Individuals and lienholders who  
 2716 the department determines are not normally engaged in the

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2717 business or practice of financing vessels are not required to  
 2718 participate in the electronic titling program.

2719 Section 68. Subsection (4) of section 328.16, Florida  
 2720 Statutes, is amended to read:

2721 328.16 Issuance in duplicate; delivery; liens and  
 2722 encumbrances.—

2723 (4) Notwithstanding any requirements in this section or in  
 2724 s. 328.15 indicating that a lien on a vessel shall be noted on  
 2725 the face of the Florida certificate of title, if there are one  
 2726 or more liens or encumbrances on a vessel, the department shall  
 2727 ~~may~~ electronically transmit the lien to the first lienholder and  
 2728 notify the first lienholder of any additional liens. Subsequent  
 2729 lien satisfactions shall ~~may~~ be electronically transmitted to  
 2730 the department and must ~~shall~~ include the name and address of  
 2731 the person or entity satisfying the lien. When electronic  
 2732 transmission of liens and lien satisfactions are used, the  
 2733 issuance of a certificate of title may be waived until the last  
 2734 lien is satisfied and a clear certificate of title is issued to  
 2735 the owner of the vessel.

2736 Section 69. Section 328.30, Florida Statutes, is amended  
 2737 to read:

2738 328.30 Transactions by electronic or telephonic means.—

2739 (1) The department may ~~is authorized to~~ accept any  
 2740 application provided for under this chapter by electronic or  
 2741 telephonic means.

2742 (2) The department may issue an electronic certificate of  
 2743 title in lieu of printing a paper title.

2744 (3) The department may collect electronic mail addresses

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2745 and use electronic mail in lieu of the United States Postal  
 2746 Service for the purpose of providing renewal notices.

2747 Section 70. Subsection (1) of section 520.32, Florida  
 2748 Statutes, is amended to read:

2749 520.32 Licenses.—

2750 (1) A person may not engage in or transact the business of  
 2751 a retail seller engaging in retail installment transactions as  
 2752 defined in this part or operate a branch of such business  
 2753 without a license, except that a license is not required for:

2754 (a) A retail seller whose retail installment transactions  
 2755 are limited to the honoring of credit cards issued by dealers in  
 2756 oil and petroleum products licensed to do business in this  
 2757 state.

2758 (b) A person licensed by the office under part I. This  
 2759 paragraph exempts only a person licensed under part I from the  
 2760 licensure requirements of this section. This paragraph does not  
 2761 exempt the licensee from the other sections of this part, and  
 2762 any violations of those sections may subject the licensee to  
 2763 disciplinary action.

2764 Section 71. Paragraph (f) of subsection (13) of section  
 2765 713.78, Florida Statutes, is amended to read:

2766 713.78 Liens for recovering, towing, or storing vehicles  
 2767 and vessels.—

2768 (13)

2769 (f) This subsection applies only to the annual renewal in  
 2770 the registered owner's birth month of a motor vehicle  
 2771 registration and does not apply to the transfer of a  
 2772 registration of a motor vehicle sold by a motor vehicle dealer

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2773 licensed under chapter 320, except for the transfer of  
 2774 registrations which includes ~~is inclusive of~~ the annual  
 2775 renewals. This subsection does not apply to any vehicle  
 2776 registered in the name of the lessor. This subsection does not  
 2777 affect the issuance of the title to a motor vehicle,  
 2778 notwithstanding s. 319.23(8)(b) ~~s. 319.23(7)(b)~~.

2779 Section 72. Subsection (3) of section 316.271, Florida  
 2780 Statutes, is amended to read:

2781 316.271 Horns and warning devices.—

2782 (3) The driver of a motor vehicle shall, when reasonably  
 2783 necessary to ensure safe operation, give audible warning with  
 2784 his or her horn, ~~but shall not otherwise use such horn when upon~~  
 2785 ~~a highway.~~

2786 Section 73. Paragraph (c) of subsection (2) of section  
 2787 323.002, Florida Statutes, is amended to read:

2788 323.002 County and municipal wrecker operator systems;  
 2789 penalties for operation outside of system.—

2790 (2) In any county or municipality that operates a wrecker  
 2791 operator system:

2792 (c) When an unauthorized wrecker operator drives by the  
 2793 scene of a wrecked or disabled vehicle and the owner or operator  
 2794 initiates contact by signaling the wrecker operator to stop and  
 2795 provide towing services, the unauthorized wrecker operator must  
 2796 disclose to the owner or operator of the vehicle that he or she  
 2797 is not the authorized wrecker operator who has been designated  
 2798 as part of the wrecker operator system and must disclose, in  
 2799 writing, a fee schedule that includes what charges for towing  
 2800 and storage will apply before the vehicle is connected to or

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2801 disconnected from the towing apparatus, the fee charged per mile  
 2802 to and from the storage facility, the fee charged per 24 hours  
 2803 of storage, and, prominently displayed, the consumer hotline for  
 2804 the Department of Agriculture and Consumer Services. Any person  
 2805 who violates this paragraph is guilty of a misdemeanor of the  
 2806 second degree, punishable as provided in s. 775.082 or s.  
 2807 775.083.

2808 Section 74. Paragraph (b) of subsection (1) of section  
 2809 316.0083, Florida Statutes, is amended to read:

2810 316.0083 Mark Wandall Traffic Safety Program;  
 2811 administration; report.—

2812 (1)

2813 (b)1.a. Within 30 days after a violation, notification  
 2814 must be sent to the registered owner of the motor vehicle  
 2815 involved in the violation specifying the remedies available  
 2816 under s. 318.14 and that the violator must pay the penalty of  
 2817 \$158 to the department, county, or municipality, or furnish an  
 2818 affidavit in accordance with paragraph (d), within 30 days  
 2819 following the date of the notification in order to avoid court  
 2820 fees, costs, and the issuance of a traffic citation. The  
 2821 notification shall be sent by first-class mail.

2822 b. Included with the notification to the registered owner  
 2823 of the motor vehicle involved in the infraction must be a notice  
 2824 that the owner has the right to review the photographic or  
 2825 electronic images or the streaming video evidence that  
 2826 constitutes a rebuttable presumption against the owner of the  
 2827 vehicle. The notice must state the time and place or Internet  
 2828 location where the evidence may be examined and observed.

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2829           2. Penalties assessed and collected by the department,  
 2830 county, or municipality authorized to collect the funds provided  
 2831 for in this paragraph, less the amount retained by the county or  
 2832 municipality pursuant to subparagraph 3., shall be paid to the  
 2833 Department of Revenue weekly. Payment by the department, county,  
 2834 or municipality to the state shall be made by means of  
 2835 electronic funds transfers. In addition to the payment, summary  
 2836 detail of the penalties remitted shall be reported to the  
 2837 Department of Revenue.

2838           3. Penalties to be assessed and collected by the  
 2839 department, county, or municipality are as follows:

2840           a. One hundred fifty-eight dollars for a violation of s.  
 2841 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
 2842 stop at a traffic signal if enforcement is by the department's  
 2843 traffic infraction enforcement officer. One hundred dollars  
 2844 shall be remitted to the Department of Revenue for deposit into  
 2845 the General Revenue Fund, \$10 shall be remitted to the  
 2846 Department of Revenue for deposit into the Department of Health  
 2847 Emergency Medical Services ~~Administrative~~ Trust Fund, \$3 shall  
 2848 be remitted to the Department of Revenue for deposit into the  
 2849 Brain and Spinal Cord Injury Trust Fund, and \$45 shall be  
 2850 distributed to the municipality in which the violation occurred,  
 2851 or, if the violation occurred in an unincorporated area, to the  
 2852 county in which the violation occurred. Funds deposited into the  
 2853 Department of Health Emergency Medical Services ~~Administrative~~  
 2854 Trust Fund under this sub-subparagraph shall be distributed as  
 2855 provided in s. 395.4036(1). Proceeds of the infractions in the  
 2856 Brain and Spinal Cord Injury Trust Fund shall be distributed

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2857 | quarterly to the Miami Project to Cure Paralysis and shall be  
 2858 | used for brain and spinal cord research.

2859 |         b. One hundred fifty-eight dollars for a violation of s.  
 2860 | 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
 2861 | stop at a traffic signal if enforcement is by a county or  
 2862 | municipal traffic infraction enforcement officer. Seventy  
 2863 | dollars shall be remitted by the county or municipality to the  
 2864 | Department of Revenue for deposit into the General Revenue Fund,  
 2865 | \$10 shall be remitted to the Department of Revenue for deposit  
 2866 | into the Department of Health Emergency Medical Services  
 2867 | ~~Administrative~~ Trust Fund, \$3 shall be remitted to the  
 2868 | Department of Revenue for deposit into the Brain and Spinal Cord  
 2869 | Injury Trust Fund, and \$75 shall be retained by the county or  
 2870 | municipality enforcing the ordinance enacted pursuant to this  
 2871 | section. Funds deposited into the Department of Health Emergency  
 2872 | Medical Services ~~Administrative~~ Trust Fund under this sub-  
 2873 | subparagraph shall be distributed as provided in s. 395.4036(1).  
 2874 | Proceeds of the infractions in the Brain and Spinal Cord Injury  
 2875 | Trust Fund shall be distributed quarterly to the Miami Project  
 2876 | to Cure Paralysis and shall be used for brain and spinal cord  
 2877 | research.

2878 |         4. An individual may not receive a commission from any  
 2879 | revenue collected from violations detected through the use of a  
 2880 | traffic infraction detector. A manufacturer or vendor may not  
 2881 | receive a fee or remuneration based upon the number of  
 2882 | violations detected through the use of a traffic infraction  
 2883 | detector.

2884 |         Section 75. Paragraphs (a) and (e) of subsection (15) of

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2885 section 318.18, Florida Statutes, are amended to read:

2886 318.18 Amount of penalties.—The penalties required for a  
 2887 noncriminal disposition pursuant to s. 318.14 or a criminal  
 2888 offense listed in s. 318.17 are as follows:

2889 (15)(a)1. One hundred and fifty-eight dollars for a  
 2890 violation of s. 316.074(1) or s. 316.075(1)(c)1. when a driver  
 2891 has failed to stop at a traffic signal and when enforced by a  
 2892 law enforcement officer. Sixty dollars shall be distributed as  
 2893 provided in s. 318.21, \$30 shall be distributed to the General  
 2894 Revenue Fund, \$3 shall be remitted to the Department of Revenue  
 2895 for deposit into the Brain and Spinal Cord Injury Trust Fund,  
 2896 and the remaining \$65 shall be remitted to the Department of  
 2897 Revenue for deposit into the Emergency Medical Services  
 2898 ~~Administrative~~ Trust Fund of the Department of Health.

2899 2. One hundred and fifty-eight dollars for a violation of  
 2900 s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
 2901 stop at a traffic signal and when enforced by the department's  
 2902 traffic infraction enforcement officer. One hundred dollars  
 2903 shall be remitted to the Department of Revenue for deposit into  
 2904 the General Revenue Fund, \$45 shall be distributed to the county  
 2905 for any violations occurring in any unincorporated areas of the  
 2906 county or to the municipality for any violations occurring in  
 2907 the incorporated boundaries of the municipality in which the  
 2908 infraction occurred, \$10 shall be remitted to the Department of  
 2909 Revenue for deposit into the Department of Health Emergency  
 2910 Medical Services ~~Administrative~~ Trust Fund for distribution as  
 2911 provided in s. 395.4036(1), and \$3 shall be remitted to the  
 2912 Department of Revenue for deposit into the Brain and Spinal Cord



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2913 Injury Trust Fund.  
 2914           3. One hundred and fifty-eight dollars for a violation of  
 2915 s. 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to  
 2916 stop at a traffic signal and when enforced by a county's or  
 2917 municipality's traffic infraction enforcement officer. Seventy-  
 2918 five dollars shall be distributed to the county or municipality  
 2919 issuing the traffic citation, \$70 shall be remitted to the  
 2920 Department of Revenue for deposit into the General Revenue Fund,  
 2921 \$10 shall be remitted to the Department of Revenue for deposit  
 2922 into the Department of Health Emergency Medical Services  
 2923 ~~Administrative~~ Trust Fund for distribution as provided in s.  
 2924 395.4036(1), and \$3 shall be remitted to the Department of  
 2925 Revenue for deposit into the Brain and Spinal Cord Injury Trust  
 2926 Fund.

2927           (e) Funds deposited into the Department of Health  
 2928 Emergency Medical Services ~~Administrative~~ Trust Fund under this  
 2929 subsection shall be distributed as provided in s. 395.4036(1).

2930           Section 76. Except as otherwise expressly provided in this  
 2931 act and except for this section, which shall take effect upon  
 2932 this act becoming a law, this act shall take effect January 1,  
 2933 2013.