

1 A bill to be entitled
2 An act relating to the Department of Highway Safety
3 and Motor Vehicles; amending s. 207.004, F.S.;
4 requiring the department or its authorized agent to
5 issue certain licenses and fuel tax decals; providing
6 legislative findings; amending s. 316.066, F.S.;
7 requiring traffic law enforcement agencies to provide
8 uniform crash reports to the department by electronic
9 means using a nonproprietary, interchangeable
10 electronic form and reporting method; defining the
11 term "nonproprietary"; requiring such crash reports to
12 be consistent with certain rules and procedures and to
13 be numbered and inventoried; authorizing law
14 enforcement agencies and their contracted service
15 providers to have access to confidential crash reports
16 held by an agency; amending s. 316.2935, F.S.;
17 providing an exception to requirements for
18 certification of air pollution control equipment by a
19 motor vehicle seller, lessor, or transferor; amending
20 s. 316.302, F.S.; revising the list of federal rules
21 and regulations to which owners and drivers of certain
22 commercial motor vehicles are subject; amending s.
23 319.14, F.S.; requiring a certificate of title for a
24 flood vehicle to specify the type of water that caused
25 damage to the vehicle; revising the definition of the

26 term "flood vehicle"; amending s. 319.23, F.S.; making
27 a technical change; amending s. 319.28, F.S.;

28 providing that a certain affidavit constitutes proof
29 of ownership and right of possession to a motor
30 vehicle or mobile home the previous owner of which
31 died testate; amending s. 319.29, F.S.; prohibiting
32 the department or a tax collector from charging a fee
33 for reissuance of certain certificates of title;
34 amending s. 319.30, F.S.; revising and providing
35 definitions; providing requirements for an independent
36 entity's release of a damaged or dismantled vessel to
37 the owner; authorizing the independent entity to apply
38 for certain certificates for an unclaimed vessel;
39 providing requirements for such application;
40 specifying provisions to which the independent entity
41 is subject; prohibiting the independent entity from
42 charging vessel storage fees; amending s. 320.06,
43 F.S.; authorizing permanent registration of certain
44 rental trucks; authorizing the department to deem a
45 license plate with reduced dimensions to be necessary
46 to accommodate trailers; amending s. 320.08056, F.S.;

47 providing that a certain discontinuation requirement
48 for specialty license plates does not apply to
49 collegiate license plates; amending s. 320.08058,
50 F.S.; providing that collegiate license plates are not

51 subject to specified presale requirements for
52 specialty license plates; authorizing the department
53 to reauthorize previously discontinued collegiate
54 license plates under certain circumstances; revising
55 the distribution and use of fees collected from the
56 sale of the Protect Florida Springs license plate;
57 revising the words appearing on the American Eagle
58 license plate; amending s. 320.084, F.S.; authorizing
59 certain disabled veterans to be issued a military
60 license plate or specialty license plate in lieu of a
61 "DV" license plate; specifying applicable fees;
62 specifying nonapplicability of certain provisions;
63 amending s. 322.01, F.S.; revising and providing
64 definitions; amending s. 322.02, F.S.; charging the
65 department with enforcement and administration of
66 certain federal provisions; amending s. 322.05, F.S.;
67 prohibiting the department from issuing a commercial
68 motor vehicle operator license to certain persons;
69 amending s. 322.07, F.S.; revising requirements for
70 issuance of a temporary commercial instruction permit;
71 amending s. 322.141, F.S.; requiring certain
72 information on the driver license or identification
73 card of a sexual offender or sexual predator to be
74 printed in red; amending s. 322.142, F.S.; authorizing
75 the department to issue reproductions of certain files

76 | and records to certain criminal justice or driver
 77 | licensing agencies for certain purposes; amending s.
 78 | 322.21, F.S.; authorizing reinstatement of a
 79 | commercial driver license after a downgrade of the
 80 | person's privilege to operate a commercial motor
 81 | vehicle under certain circumstances; creating s.
 82 | 322.591, F.S.; requiring the department to obtain a
 83 | driver's record from the Commercial Driver's License
 84 | Drug and Alcohol Clearinghouse under certain
 85 | circumstances; prohibiting the department from
 86 | issuing, renewing, transferring, or revising the types
 87 | of authorized vehicles or the endorsements of certain
 88 | commercial driver licenses or commercial instruction
 89 | permits if the department receives a certain
 90 | notification; requiring the department to downgrade a
 91 | commercial driver license or commercial instruction
 92 | permit within a specified timeframe if the department
 93 | receives a certain notification; requiring the
 94 | department to notify certain drivers of their
 95 | prohibition from operating a commercial motor vehicle
 96 | and, upon request, afford them an opportunity for an
 97 | informal hearing; providing requirements for such
 98 | notice and hearing; requiring the department to enter
 99 | a final order to downgrade a commercial driver license
 100 | or commercial instruction permit under certain

101 | circumstances; specifying that a request for a hearing
 102 | tolls certain deadlines; specifying that certain
 103 | notifications received by the department must be in
 104 | the record for consideration and are self-
 105 | authenticating; specifying that the basis for the
 106 | notification and the information in the Commercial
 107 | Driver's License Drug and Alcohol Clearinghouse are
 108 | not subject to challenge; requiring the department to
 109 | dismiss the downgrade of a commercial driver license
 110 | or instruction permit under certain circumstances;
 111 | requiring the department to record in the driver's
 112 | record that he or she is disqualified from operating a
 113 | commercial motor vehicle under certain circumstances;
 114 | specifying that certain actions are not stayed during
 115 | the pendency of certain proceedings; requiring the
 116 | department to reinstate a commercial driver license or
 117 | commercial instruction permit under certain
 118 | circumstances; exempting the department from liability
 119 | for certain commercial driver license or commercial
 120 | instruction permit downgrades; designating the
 121 | exclusive procedure for the downgrade of commercial
 122 | driver licenses or commercial instruction permits;
 123 | providing construction and applicability; authorizing
 124 | the department to issue at no cost a specified driver
 125 | license to certain persons prohibited from operating a

126 commercial motor vehicle; amending ss. 322.34 and
 127 322.61, F.S.; conforming cross-references; amending
 128 ss. 324.0221, 324.131, 627.311, and 627.351, F.S.;
 129 conforming provisions to changes made by the act;
 130 amending s. 627.7275, F.S.; removing provisions
 131 relating to noncancelable motor vehicle insurance;
 132 providing effective dates.

133

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

135

136 Section 1. Paragraph (a) of subsection (1) of section
 137 207.004, Florida Statutes, is amended to read:

138 207.004 Registration of motor carriers; identifying
 139 devices; fees; renewals; temporary fuel-use permits and
 140 driveaway permits.—

141 (1)(a) A ~~No~~ motor carrier may not ~~shall~~ operate or cause
 142 to be operated in this state any commercial motor vehicle, other
 143 than a Florida-based commercial motor vehicle that travels
 144 Florida intrastate mileage only, that uses diesel fuel or motor
 145 fuel until such carrier has registered with the department or
 146 has registered under a cooperative reciprocal agreement as
 147 described in s. 207.0281, after such time as this state enters
 148 into such agreement, and has been issued an identifying device
 149 or such carrier has been issued a permit as authorized under
 150 subsections (4) and (5) for each vehicle operated. The fee for

151 each such identifying device issued is ~~There shall be a fee of~~
152 ~~\$4 per year or any fraction thereof for each such identifying~~
153 ~~device issued.~~ The identifying device must ~~shall~~ be provided by
154 the department and must be conspicuously displayed on the
155 commercial motor vehicle as prescribed by the department while
156 it is being operated on the public highways of this state. The
157 transfer of an identifying device from one vehicle to another
158 vehicle or from one motor carrier to another motor carrier is
159 prohibited. The department or its authorized agent shall issue
160 licenses and fuel tax decals.

161 Section 2. The Legislature finds that a proper and
162 legitimate purpose is served when crash reports required under
163 s. 316.066, Florida Statutes, are filed electronically with the
164 Department of Highway Safety and Motor Vehicles by all entities
165 required to submit crash reports. Electronic filing will
166 expedite the availability of crash reports to the persons
167 authorized to receive them, simplify the process of making crash
168 reports available, and expedite the availability of information
169 derived from crash reports to improve highway safety. The
170 requirement of this act that all law enforcement agencies that
171 prepare crash reports submit the completed crash reports
172 electronically to the Department of Highway Safety and Motor
173 Vehicles applies to all similarly situated persons, including
174 school district law enforcement agencies, state university law
175 enforcement agencies, and state law enforcement agencies.

176 Therefore, the Legislature determines and declares that the
 177 amendments made by this act to s. 316.066, Florida Statutes,
 178 fulfill an important state interest.

179 Section 3. Effective July 1, 2025, paragraph (a) of
 180 subsection (1) and paragraph (b) of subsection (2) of section
 181 316.066, Florida Statutes, are amended to read:

182 316.066 Written reports of crashes; electronic
 183 submission.-

184 (1)(a) All traffic law enforcement agencies must provide
 185 uniform crash reports by electronic means to the department
 186 using a nonproprietary, interchangeable electronic form and
 187 reporting method. For purposes of this section, the term
 188 "nonproprietary" means commonly used and commercially available
 189 report formats and reporting methods. Such crash reports must be
 190 consistent with the state traffic crash manual rules and the
 191 procedures established by the department and must be
 192 appropriately numbered and inventoried. A Florida Traffic Crash
 193 Report, Long Form must be completed and electronically submitted
 194 to the department within 10 days after an investigation is
 195 completed by the law enforcement officer who in the regular
 196 course of duty investigates a motor vehicle crash that:

- 197 1. Resulted in death of, personal injury to, or any
 198 indication of complaints of pain or discomfort by any of the
 199 parties or passengers involved in the crash;
- 200 2. Involved a violation of s. 316.061(1) or s. 316.193;

201 3. Rendered a vehicle inoperable to a degree that required
 202 a wrecker to remove it from the scene of the crash; or
 203 4. Involved a commercial motor vehicle.
 204 (2)
 205 (b) Crash reports held by an agency under paragraph (a)
 206 may be made immediately available to the parties involved in the
 207 crash, their legal representatives, their licensed insurance
 208 agents, their insurers or insurers to which they have applied
 209 for coverage, persons under contract with such insurers to
 210 provide claims or underwriting information, law enforcement
 211 agencies and their contracted service providers, victim services
 212 programs, and any federal, state, or local governmental agency
 213 or any private person or entity acting on behalf of a federal,
 214 state, or local governmental agency in carrying out its
 215 functions, but not for redistribution to any person or entity
 216 not listed in this subsection. Crash reports held by an agency
 217 under paragraph (a) which do not contain the home or employment
 218 street addresses, driver license or identification card numbers,
 219 dates of birth, and home and employment telephone numbers of the
 220 parties involved in the crash shall be made immediately
 221 available to radio and television stations licensed by the
 222 Federal Communications Commission and newspapers qualified to
 223 publish legal notices under ss. 50.011 and 50.031. A crash
 224 report may also be made available to any third party acting on
 225 behalf of a person or entity authorized under this section to

226 | access the crash report, except that the third party may
 227 | disclose the crash report only to the person or entity
 228 | authorized to access the crash report under this section on
 229 | whose behalf the third party has sought the report. This section
 230 | shall not prevent an agency, pursuant to a memorandum of
 231 | understanding, from providing data derived from crash reports to
 232 | a third party solely for the purpose of identifying vehicles
 233 | involved in crashes if such data does not reveal the identity,
 234 | home or employment telephone number or home or employment
 235 | address, or other personal information of the parties involved
 236 | in the crash.

237 | Section 4. Paragraph (b) of subsection (1) of section
 238 | 316.2935, Florida Statutes, is amended to read:

239 | 316.2935 Air pollution control equipment; tampering
 240 | prohibited; penalty.—

241 | (1)

242 | (b) At the time of sale, lease, or transfer of title of a
 243 | motor vehicle, the seller, lessor, or transferor shall certify
 244 | in writing to the purchaser, lessee, or transferee that the air
 245 | pollution control equipment of the motor vehicle has not been
 246 | tampered with by the seller, lessor, or transferor or their
 247 | agents, employees, or other representatives. A licensed motor
 248 | vehicle dealer shall also visually observe those air pollution
 249 | control devices listed by department rule pursuant to subsection
 250 | (7), and certify that they are in place, and appear properly

251 connected and undamaged. Such certification shall not be deemed
252 or construed as a warranty that the pollution control devices of
253 the subject vehicle are in functional condition, nor does the
254 execution or delivery of this certification create by itself
255 grounds for a cause of action between the parties to this
256 transaction. This paragraph does not apply when the purchaser of
257 the motor vehicle is a lessee purchasing the leased motor
258 vehicle and the licensed motor vehicle dealer is not in
259 possession of the motor vehicle at the time of sale.

260 Section 5. Paragraphs (a), (b), and (e) of subsection (1),
261 paragraph (d) of subsection (2), and subsection (9) of section
262 316.302, Florida Statutes, are amended to read:

263 316.302 Commercial motor vehicles; safety regulations;
264 transporters and shippers of hazardous materials; enforcement.—

265 (1)(a) All owners and drivers of commercial motor vehicles
266 that are operated on the public highways of this state while
267 engaged in interstate commerce are subject to the rules and
268 regulations contained in 49 C.F.R. parts 382, 383, 384, 385,
269 386, and 390-397.

270 (b) Except as otherwise provided in this section, all
271 owners and drivers of commercial motor vehicles that are engaged
272 in intrastate commerce are subject to the rules and regulations
273 contained in 49 C.F.R. parts 382, 383, 384, 385, 386, and 390-
274 397, as such rules and regulations existed on December 31, 2022
275 ~~2020~~.

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

283 (2)

284 (d) A person who operates a commercial motor vehicle
 285 solely in intrastate commerce not transporting any hazardous
 286 material in amounts that require placarding pursuant to 49
 287 C.F.R. part 172 within a 150 air-mile radius of the location
 288 where the vehicle is based need not comply with 49 C.F.R. ss.
 289 395.8 and 395.11 ~~s. 395.8~~ if the requirements of 49 C.F.R. s.
 290 395.1(e)(1)(iii) and (iv) ~~s. 395.1(e)(1)(ii), (iii)(A) and (C),~~
 291 ~~and (v)~~ are met.

292 (9) For the purpose of enforcing this section, any law
 293 enforcement officer of the Department of Highway Safety and
 294 Motor Vehicles or duly appointed agent who holds a current
 295 safety inspector certification from the Commercial Vehicle
 296 Safety Alliance may require the driver of any commercial vehicle
 297 operated on the highways of this state to stop and submit to an
 298 inspection of the vehicle or the driver's records. If the
 299 vehicle or driver is found to be operating in an unsafe
 300 condition, or if any required part or equipment is not present

301 or is not in proper repair or adjustment, and the continued
 302 operation would present an unduly hazardous operating condition,
 303 the officer or agent may require the vehicle or the driver to be
 304 removed from service pursuant to the North American Standard
 305 Out-of-Service Criteria, until corrected. However, if continuous
 306 operation would not present an unduly hazardous operating
 307 condition, the officer or agent may give written notice
 308 requiring correction of the condition within 15 days.

309 (a) Any member of the Florida Highway Patrol or any law
 310 enforcement officer employed by a sheriff's office or municipal
 311 police department authorized to enforce the traffic laws of this
 312 state pursuant to s. 316.640 who has reason to believe that a
 313 vehicle or driver is operating in an unsafe condition may, as
 314 provided in subsection (11), enforce the provisions of this
 315 section.

316 (b) Any person who fails to comply with a ~~an officer's~~
 317 request to submit to an inspection under this subsection commits
 318 a violation of s. 843.02 if the person resists the officer
 319 without violence or a violation of s. 843.01 if the person
 320 resists the officer with violence.

321 Section 6. Paragraphs (b) and (c) of subsection (1) of
 322 section 319.14, Florida Statutes, are amended to read:

323 319.14 Sale of motor vehicles registered or used as
 324 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,
 325 nonconforming vehicles, custom vehicles, or street rod vehicles;

326 conversion of low-speed vehicles.—

327 (1)

328 (b) A person may not knowingly offer for sale, sell, or
 329 exchange a rebuilt vehicle until the department has stamped in a
 330 conspicuous place on the certificate of title for the vehicle
 331 words stating that the vehicle has been rebuilt or assembled
 332 from parts, or is a kit car, glider kit, replica, flood vehicle,
 333 custom vehicle, or street rod vehicle unless proper application
 334 for a certificate of title for a vehicle that is rebuilt or
 335 assembled from parts, or is a kit car, glider kit, replica,
 336 flood vehicle, custom vehicle, or street rod vehicle has been
 337 made to the department in accordance with this chapter and the
 338 department has conducted the physical examination of the vehicle
 339 to assure the identity of the vehicle and all major component
 340 parts, as defined in s. 319.30(1), which have been repaired or
 341 replaced. If a vehicle is identified as a flood vehicle, the
 342 words stamped on the certificate of title must identify the type
 343 of water that caused damage to the vehicle as "salt water,"
 344 "fresh water," or "other or unknown water type," as applicable.
 345 Thereafter, the department shall affix a decal to the vehicle,
 346 in the manner prescribed by the department, showing the vehicle
 347 to be rebuilt.

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

349 ~~9.1.~~ "Police vehicle" means a motor vehicle owned or
 350 leased by the state or a county or municipality and used in law

351 enforcement.

352 ~~13.2.a.~~ "Short-term-lease vehicle" means a motor vehicle
 353 leased without a driver and under a written agreement to one or
 354 more persons from time to time for ~~a period of~~ less than 12
 355 months.

356 ~~7.b.~~ "Long-term-lease vehicle" means a motor vehicle
 357 leased without a driver and under a written agreement to one
 358 person for ~~a period of~~ 12 months or longer.

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

361 ~~10.3.~~ "Rebuilt vehicle" means a motor vehicle or mobile
 362 home built from salvage or junk, as defined in s. 319.30(1).

363 ~~1.4.~~ "Assembled from parts" means a motor vehicle or
 364 mobile home assembled from parts or combined from parts of motor
 365 vehicles or mobile homes, new or used. The term "assembled from
 366 parts" does not include ~~mean a motor vehicle defined as a~~
 367 ~~"rebuilt vehicle as defined"~~ in subparagraph ~~10. 3.7~~, which has
 368 been declared a total loss pursuant to s. 319.30.

369 5. "Kit car" means a motor vehicle assembled with a kit
 370 supplied by a manufacturer to rebuild a wrecked or outdated
 371 motor vehicle with a new body kit.

372 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit
 373 supplied by a manufacturer to rebuild a wrecked or outdated
 374 truck or truck tractor.

375 ~~11.7.~~ "Replica" means a complete new motor vehicle

376 manufactured to look like an old vehicle.

377 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home
 378 that has been declared to be a total loss pursuant to s.
 379 319.30(3) (a) resulting from damage caused by salt water, fresh
 380 water, or other or unknown type of water.

381 ~~8.9.~~ "Nonconforming vehicle" means a motor vehicle that
 382 ~~which~~ has been purchased by a manufacturer pursuant to a
 383 settlement, determination, or decision under chapter 681.

384 ~~12.10.~~ "Settlement" means an agreement entered into
 385 between a manufacturer and a consumer which ~~that~~ occurs after a
 386 dispute is submitted to a program, or to an informal dispute
 387 settlement procedure established by a manufacturer, or is
 388 approved for arbitration before the Florida New Motor Vehicle
 389 Arbitration Board as defined in s. 681.102.

390 ~~2.11.~~ "Custom vehicle" means a motor vehicle that:

391 a. Is 25 years of age or older and of a model year after
 392 1948 or was manufactured to resemble a vehicle that is 25 years
 393 of age or older and of a model year after 1948; and

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

396
 397 The model year and year of manufacture that the body of a custom
 398 vehicle resembles is the model year and year of manufacture
 399 listed on the certificate of title, regardless of when the
 400 vehicle was actually manufactured.

401 ~~14.12.~~ "Street rod" means a motor vehicle that:
 402 a. Is of a model year of 1948 or older or was manufactured
 403 after 1948 to resemble a vehicle of a model year of 1948 or
 404 older; and
 405 b. Has been altered from the manufacturer's original
 406 design or has a body constructed from nonoriginal materials.
 407
 408 The model year and year of manufacture that the body of a street
 409 rod resembles is the model year and year of manufacture listed
 410 on the certificate of title, regardless of when the vehicle was
 411 actually manufactured.
 412 Section 7. Subsection (3) of section 319.23, Florida
 413 Statutes, is amended to read:
 414 319.23 Application for, and issuance of, certificate of
 415 title.-
 416 (3) If a certificate of title has not previously been
 417 issued for a motor vehicle or mobile home in this state, the
 418 application, unless otherwise provided for in this chapter,
 419 shall be accompanied by a proper bill of sale or sworn statement
 420 of ownership, or a duly certified copy thereof, or by a
 421 certificate of title, bill of sale, or other evidence of
 422 ownership required by the law of the state or country ~~county~~
 423 from which the motor vehicle or mobile home was brought into
 424 this state. The application shall also be accompanied by:
 425 (a)1. A sworn affidavit from the seller and purchaser

426 verifying that the vehicle identification number shown on the
427 affidavit is identical to the vehicle identification number
428 shown on the motor vehicle; or

429 2. An appropriate departmental form evidencing that a
430 physical examination has been made of the motor vehicle by the
431 owner and by a duly constituted law enforcement officer in any
432 state, a licensed motor vehicle dealer, a license inspector as
433 provided by s. 320.58, or a notary public commissioned by this
434 state and that the vehicle identification number shown on such
435 form is identical to the vehicle identification number shown on
436 the motor vehicle; and

437 (b) If the vehicle is a used car original, a sworn
438 affidavit from the owner verifying that the odometer reading
439 shown on the affidavit is identical to the odometer reading
440 shown on the motor vehicle in accordance with the requirements
441 of 49 C.F.R. s. 580.5 at the time that application for title is
442 made. For the purposes of this section, the term "used car
443 original" means a used vehicle coming into and being titled in
444 this state for the first time.

445 (c) If the vehicle is an ancient or antique vehicle, as
446 defined in s. 320.086, the application shall be accompanied by a
447 certificate of title; a bill of sale and a registration; or a
448 bill of sale and an affidavit by the owner defending the title
449 from all claims. The bill of sale must contain a complete
450 vehicle description to include the vehicle identification or

451 engine number, year make, color, selling price, and signatures
452 of the seller and purchaser.

453

454 Verification of the vehicle identification number is not
455 required for any new motor vehicle; any mobile home; any trailer
456 or semitrailer with a net weight of less than 2,000 pounds; or
457 any travel trailer, camping trailer, truck camper, or fifth-
458 wheel recreation trailer.

459 Section 8. Paragraphs (c) and (d) of subsection (1) of
460 section 319.28, Florida Statutes, are redesignated as paragraphs
461 (d) and (e), respectively, and a new paragraph (c) is added to
462 that subsection to read:

463 319.28 Transfer of ownership by operation of law.—

464 (1)

465 (c) If the previous owner died testate and the application
466 for a certificate of title is made by, and accompanied by an
467 affidavit attested by, a Florida-licensed attorney in good
468 standing with The Florida Bar who is representing the previous
469 owner's estate, such affidavit shall, for purposes of paragraph
470 (a), constitute satisfactory proof of ownership and right of
471 possession to the motor vehicle or mobile home, so long as the
472 affidavit sets forth the rightful heir or heirs and the attorney
473 attests in the affidavit that such heir or heirs are lawfully
474 entitled to the rights of ownership and possession of the motor
475 vehicle or mobile home. It shall not be necessary for the

476 application for certificate of title filed under this paragraph
 477 to be accompanied by a copy of the will or other testamentary
 478 instrument.

479 Section 9. Subsection (3) of section 319.29, Florida
 480 Statutes, is amended to read:

481 319.29 Lost or destroyed certificates.—

482 (3) If, following the issuance of an original, duplicate,
 483 or corrected certificate of title by the department, the
 484 certificate is lost in transit and is not delivered to the
 485 addressee, the owner of the motor vehicle or mobile home, or the
 486 holder of a lien thereon, may, within 180 days after ~~of~~ the date
 487 of issuance of the title, apply to the department for reissuance
 488 of the certificate of title. An ~~No~~ additional fee shall not be
 489 charged by the department or a tax collector, as agent for the
 490 department, for reissuance under this subsection.

491 Section 10. Paragraphs (g) and (j) of subsection (1) and
 492 subsection (9) of section 319.30, Florida Statutes, are amended,
 493 and paragraph (y) is added to subsection (1) of that section, to
 494 read:

495 319.30 Definitions; dismantling, destruction, change of
 496 identity of motor vehicle or mobile home; salvage.—

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

498 (g) "Independent entity" means a business or entity that
 499 may temporarily store damaged or dismantled motor vehicles or
 500 vessels pursuant to an agreement with an insurance company and

501 is engaged in the sale or resale of damaged or dismantled motor
 502 vehicles or vessels. The term does not include a wrecker
 503 operator, a towing company, or a repair facility.

504 (j) "Major component parts" means:

505 1. For motor vehicles other than motorcycles and electric,
 506 hybrid, or plug-in hybrid motor vehicles, any fender, hood,
 507 bumper, cowl assembly, rear quarter panel, trunk lid, door,
 508 decklid, floor pan, engine, frame, transmission, catalytic
 509 converter, or airbag.

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

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

517 4. For mobile homes, the frame.

518 5. For electric, hybrid, or plug-in hybrid motor vehicles,
 519 any fender, hood, bumper, cowl assembly, rear quarter panel,
 520 trunk lid, door, decklid, floor pan, engine, electric traction
 521 motor, frame, transmission or electronic transmission, charge
 522 port, DC power converter, onboard charger, power electronics
 523 controller, thermal system, traction battery pack, catalytic
 524 converter, or airbag.

525 (y) "Vessel" has the same meaning as provided in s.

526 713.78(1)(b) .

527 (9)(a) An insurance company may notify an independent
 528 entity that obtains possession of a damaged or dismantled motor
 529 vehicle or vessel to release the vehicle or vessel to the owner.
 530 The insurance company shall provide the independent entity a
 531 release statement on a form prescribed by the department
 532 authorizing the independent entity to release the vehicle or
 533 vessel to the owner or lienholder. The form must, at a minimum,
 534 contain the following:

- 535 1. The policy and claim number.
- 536 2. The name and address of the insured.
- 537 3. The vehicle identification number or vessel hull
 538 identification number.
- 539 4. The signature of an authorized representative of the
 540 insurance company.

541 (b) The independent entity in possession of a motor
 542 vehicle or vessel must send a notice to the owner that the
 543 vehicle or vessel is available for pickup when it receives a
 544 release statement from the insurance company. The notice shall
 545 be sent by certified mail or by another commercially available
 546 delivery service that provides proof of delivery to the owner at
 547 the owner's address contained in the department's records. The
 548 notice must state that the owner has 30 days after delivery of
 549 the notice to the owner at the owner's address to pick up the
 550 vehicle or vessel from the independent entity. If the motor

551 vehicle or vessel is not claimed within 30 days after the
552 delivery or attempted delivery of the notice, the independent
553 entity may apply for a certificate of destruction, a salvage
554 certificate of title, or a certificate of title. For a hull-
555 damaged vessel, the independent entity shall comply with s.
556 328.045 as applicable.

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

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

562 2. For a vehicle, identify the latest titling jurisdiction
563 of the vehicle through use of the National Motor Vehicle Title
564 Information System or an equivalent commercially available
565 system and attempt to obtain the owner's address from that
566 jurisdiction. If the jurisdiction returns an address that is
567 different from the owner's address provided by the insurance
568 company, the independent entity must send a notice that meets
569 the requirements of paragraph (b) to both addresses.

570 (d) The independent entity shall maintain for at least a
571 ~~minimum of~~ 3 years the records related to the 30-day notice sent
572 to the owner. For vehicles, the independent entity shall also
573 maintain for at least 3 years the results of searches of the
574 National Motor Vehicle Title Information System or an equivalent
575 commercially available system, and the notification to the

576 National Motor Vehicle Title Information System made pursuant to
577 paragraph (e).

578 (e) The independent entity shall make the required
579 notification to the National Motor Vehicle Title Information
580 System before releasing any damaged or dismantled motor vehicle
581 to the owner or before applying for a certificate of destruction
582 or salvage certificate of title. The independent entity is not
583 required to notify the National Motor Vehicle Title Information
584 System before releasing any damaged or dismantled vessel to the
585 owner or before applying for a certificate of title.

586 (f) Upon applying for a certificate of destruction, ~~or~~
587 salvage certificate of title, or certificate of title, the
588 independent entity shall provide a copy of the release statement
589 from the insurance company to the independent entity, proof of
590 providing the 30-day notice to the owner, proof of notification
591 to the National Motor Vehicle Title Information System if
592 required, proof of all lien satisfactions or proof of a release
593 of all liens on the motor vehicle or vessel, and applicable
594 fees. If the independent entity is unable to obtain a lien
595 satisfaction or a release of all liens on the motor vehicle or
596 vessel, the independent entity must provide an affidavit stating
597 that notice was sent to all lienholders that the motor vehicle
598 or vessel is available for pickup, 30 days have passed since the
599 notice was delivered or attempted to be delivered pursuant to
600 this section, attempts have been made to obtain a release from

601 all lienholders, and all such attempts have been to no avail.
602 The notice to lienholders and attempts to obtain a release from
603 lienholders may be by written request delivered in person or by
604 certified mail or another commercially available delivery
605 service that provides proof of delivery to the lienholder at the
606 lienholder's address as provided on the certificate of title and
607 to the address designated with the Department of State pursuant
608 to s. 655.0201(2) if such address is different.

609 (g) The independent entity may not charge an owner of the
610 vehicle or vessel storage fees or apply for a title under s.
611 713.585 or s. 713.78.

612 Section 11. Paragraph (b) of subsection (1) and paragraph
613 (a) of subsection (3) of section 320.06, Florida Statutes, are
614 amended to read:

615 320.06 Registration certificates, license plates, and
616 validation stickers generally.—

617 (1)

618 (b)1. Registration license plates bearing a graphic symbol
619 and the alphanumeric system of identification shall be issued
620 for a 10-year period. At the end of the 10-year period, upon
621 renewal, the plate shall be replaced. The department shall
622 extend the scheduled license plate replacement date from a 6-
623 year period to a 10-year period. The fee for such replacement is
624 \$28, \$2.80 of which shall be paid each year before the plate is
625 replaced, to be credited toward the next \$28 replacement fee.

626 The fees shall be deposited into the Highway Safety Operating
627 Trust Fund. A credit or refund may not be given for any prior
628 years' payments of the prorated replacement fee if the plate is
629 replaced or surrendered before the end of the 10-year period,
630 except that a credit may be given if a registrant is required by
631 the department to replace a license plate under s.
632 320.08056(8)(a). With each license plate, a validation sticker
633 shall be issued showing the owner's birth month, license plate
634 number, and the year of expiration or the appropriate renewal
635 period if the owner is not a natural person. The validation
636 sticker shall be placed on the upper right corner of the license
637 plate. The license plate and validation sticker shall be issued
638 based on the applicant's appropriate renewal period. The
639 registration period is 12 months, the extended registration
640 period is 24 months, and all expirations occur based on the
641 applicant's appropriate registration period. Rental vehicles
642 taxed pursuant to s. 320.08(6)(a) and rental trucks taxed
643 pursuant to s. 320.08(3)(a), (b), and (c) and (4)(a)-(d) may
644 elect a permanent registration period, provided payment of the
645 appropriate license taxes and fees occurs annually.

646 2. A vehicle that has an apportioned registration shall be
647 issued an annual license plate and a cab card that denote the
648 declared gross vehicle weight for each apportioned jurisdiction
649 in which the vehicle is authorized to operate. This subparagraph
650 expires June 30, 2024.

651 3. Beginning July 1, 2024, a vehicle registered in
652 accordance with the International Registration Plan must be
653 issued a license plate for a 3-year period. At the end of the 3-
654 year period, upon renewal, the license plate must be replaced.
655 Each license plate must include a validation sticker showing the
656 month of expiration. A cab card denoting the declared gross
657 vehicle weight for each apportioned jurisdiction must be issued
658 annually. The fee for an original or a renewal cab card is \$28,
659 which must be deposited into the Highway Safety Operating Trust
660 Fund. If the license plate is damaged or worn, it may be
661 replaced at no charge by applying to the department and
662 surrendering the current license plate.

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

667 (3)(a) Registration license plates must be made of metal
668 specially treated with a retroreflection material, as specified
669 by the department. The registration license plate is designed to
670 increase nighttime visibility and legibility and must be at
671 least 6 inches wide and not less than 12 inches in length,
672 unless a plate with reduced dimensions is deemed necessary by
673 the department to accommodate motorcycles, mopeds, ~~or~~ similar
674 smaller vehicles, or trailers. Validation stickers must also be
675 treated with a retroreflection material, must be of such size as

676 specified by the department, and must adhere to the license
677 plate. The registration license plate must be imprinted with a
678 combination of bold letters and numerals or numerals, not to
679 exceed seven digits, to identify the registration license plate
680 number. The license plate must be imprinted with the word
681 "Florida" at the top and the name of the county in which it is
682 sold, the state motto, or the words "Sunshine State" at the
683 bottom. Apportioned license plates must have the word
684 "Apportioned" at the bottom, and license plates issued for
685 vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or
686 (c), or (14) must have the word "Restricted" at the bottom.
687 License plates issued for vehicles taxed under s. 320.08(12)
688 must be imprinted with the word "Florida" at the top and the
689 word "Dealer" at the bottom unless the license plate is a
690 specialty license plate as authorized in s. 320.08056.
691 Manufacturer license plates issued for vehicles taxed under s.
692 320.08(12) must be imprinted with the word "Florida" at the top
693 and the word "Manufacturer" at the bottom. License plates issued
694 for vehicles taxed under s. 320.08(5)(d) or (e) must be
695 imprinted with the word "Wrecker" at the bottom. Any county may,
696 upon majority vote of the county commission, elect to have the
697 county name removed from the license plates sold in that county.
698 The state motto or the words "Sunshine State" shall be printed
699 in lieu thereof. A license plate issued for a vehicle taxed
700 under s. 320.08(6) may not be assigned a registration license

701 number, or be issued with any other distinctive character or
702 designation, that distinguishes the motor vehicle as a for-hire
703 motor vehicle.

704 Section 12. Paragraph (f) of subsection (8) of section
705 320.08056, Florida Statutes, is amended to read:

706 320.08056 Specialty license plates.—

707 (8)

708 (f) Notwithstanding paragraph (a), on January 1 of each
709 year, the department shall discontinue the specialty license
710 plate with the fewest number of plates in circulation, including
711 license plates exempt from a statutory sales requirement. The
712 department shall mail a warning letter to the sponsoring
713 organizations of the 10 percent of specialty license plates with
714 the lowest number of valid, active registrations as of December
715 1 of each year. This paragraph does not apply to collegiate
716 license plates established under s. 320.08058(3).

717 Section 13. Subsections (3) and (58) and paragraph (a) of
718 subsection (95) of section 320.08058, Florida Statutes, are
719 amended to read:

720 320.08058 Specialty license plates.—

721 (3) COLLEGIATE LICENSE PLATES.—

722 (a) The department shall develop a collegiate license
723 plate as provided in this section for state and independent
724 universities domiciled in this state. However, any collegiate
725 license plate created or established after October 1, 2002, must

726 | comply with the requirements of s. 320.08053 other than the
727 | presale requirements in s. 320.08053(2)(b) and be specifically
728 | authorized by an act of the Legislature. Collegiate license
729 | plates must bear the colors and design approved by the
730 | department as appropriate for each state and independent
731 | university. The word "Florida" must be stamped across the bottom
732 | of the plate in small letters.

733 | (b) A collegiate plate annual use fee is to be distributed
734 | to the state or independent university foundation designated by
735 | the purchaser for deposit in an unrestricted account. The Board
736 | of Governors of the State University System shall require each
737 | state university to submit a plan for approval of the
738 | expenditure of all funds so designated. These funds may be used
739 | only for academic enhancement, including scholarships and
740 | private fundraising activities.

741 | (c) If a collegiate license plate has previously been
742 | discontinued pursuant to s. 320.08056(8)(f), the department may
743 | reauthorize the collegiate license plate if the state or
744 | independent university resubmits the collegiate license plate
745 | for authorization.

746 | (58) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

747 | (a) The department shall develop a Protect Florida Springs
748 | license plate as provided in this section. The word "Florida"
749 | must appear at the top of the plate, and the words "Protect
750 | Florida Springs" must appear at the bottom of the plate.

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

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

759 ~~1.2. Up to~~ Thereafter, a maximum of 10 percent of the fees
 760 may be used for administrative costs directly associated with
 761 education programs, conservation, springs research, and grant
 762 administration of the foundation. A maximum of 15 percent of the
 763 fees may be used for continuing promotion and marketing of the
 764 license plate.

765 ~~2.3. At least 75~~ 55 percent of the fees shall be available
 766 for the conservation of Florida's freshwater springs, including
 767 scientific research, springs habitat restoration, springs
 768 protection, and public education regarding springs ~~competitive~~
 769 ~~grants for targeted community-based springs research not~~
 770 ~~currently available for state funding. The remaining 20 percent~~
 771 ~~shall be directed toward community outreach programs aimed at~~
 772 ~~implementing such research findings. The majority of funds shall~~
 773 be awarded via competitive grants ~~shall be~~ administered and
 774 approved by the board of directors of the Fish & Wildlife
 775 Foundation of Florida, Inc., with input from ~~a. The granting~~

776 advisory committee ~~shall be~~ composed of nine members, including
 777 one representative from the Fish and Wildlife Conservation
 778 Commission, one representative from the Department of
 779 Environmental Protection, one representative from the Department
 780 of Health, one representative from the Department of Economic
 781 Opportunity, three citizen representatives, and two
 782 representatives from nonprofit stakeholder groups.

783 ~~4. The remaining funds shall be distributed with the~~
 784 ~~approval of and accountability to the board of directors of the~~
 785 ~~Wildlife Foundation of Florida, and shall be used to support~~
 786 ~~activities contributing to education, outreach, and springs~~
 787 ~~conservation.~~

788 (95) AMERICAN EAGLE LICENSE PLATES.—

789 (a) The department shall develop an American Eagle license
 790 plate as provided in this section and s. 320.08053. The plate
 791 must bear the colors and design approved by the department. The
 792 word "Florida" must appear at the top of the plate, and the
 793 words "Protect the Eagle ~~In God We Trust~~" must appear at the
 794 bottom of the plate.

795 Section 14. Subsection (1) of section 320.084, Florida
 796 Statutes, is amended, and subsection (6) is added to that
 797 section, to read:

798 320.084 Free motor vehicle license plate to certain
 799 disabled veterans.—

800 (1) One free "DV" motor vehicle license number plate shall

801 | be issued by the department for use on any motor vehicle owned
802 | or leased by any disabled veteran who has been a resident of
803 | this state continuously for the preceding 5 years or has
804 | established a domicile in this state as provided by s.
805 | 222.17(1), (2), or (3), and who has been honorably discharged
806 | from the United States Armed Forces, upon application,
807 | accompanied by proof that:

808 | (a) A vehicle was initially acquired through financial
809 | assistance by the United States Department of Veterans Affairs
810 | or its predecessor specifically for the purchase of an
811 | automobile;

812 | (b) The applicant has been determined by the United States
813 | Department of Veterans Affairs or its predecessor to have a
814 | service-connected 100-percent disability rating for
815 | compensation; or

816 | (c) The applicant has been determined to have a service-
817 | connected disability rating of 100 percent and is in receipt of
818 | disability retirement pay from any branch of the United States
819 | Armed Services.

820 | (6) (a) A disabled veteran who meets the requirements of
821 | subsection (1) may be issued, in lieu of the "DV" license plate,
822 | a military license plate for which he or she is eligible or a
823 | specialty license plate. A disabled veteran electing a military
824 | license plate or specialty license plate under this subsection
825 | must pay all applicable fees related to such license plate,

826 except for fees otherwise waived under subsections (1) and (4).

827 (b) A military license plate or specialty license plate
 828 elected under this subsection:

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

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

833 Section 15. Subsections (16) through (48) of section
 834 322.01, Florida Statutes, are renumbered as subsections (17)
 835 through (49), respectively, subsection (5) and present
 836 subsections (37) and (41) of that section are amended, and a new
 837 subsection (16) is added to that section, to read:

838 322.01 Definitions.—As used in this chapter:

839 (5) "Cancellation" means the act of declaring a driver
 840 license void and terminated but does not include a downgrade.

841 (16) "Downgrade" has the same meaning as provided in
 842 paragraph (4) of the definition of the term "CDL downgrade" in
 843 49 C.F.R. s. 383.5.

844 (38)~~(37)~~ "Revocation" means the termination of a
 845 licensee's privilege to drive but does not include a downgrade.

846 (42)~~(41)~~ "Suspension" means the temporary withdrawal of a
 847 licensee's privilege to drive a motor vehicle but does not
 848 include a downgrade.

849 Section 16. Subsection (2) of section 322.02, Florida
 850 Statutes, is amended to read:

851 322.02 Legislative intent; administration.—

852 (2) The Department of Highway Safety and Motor Vehicles is
 853 charged with the administration and function of enforcement of
 854 ~~the provisions of~~ this chapter and the enforcement and
 855 administration of 49 C.F.R. parts 382-386 and 390-397.

856 Section 17. Subsections (4) through (12) of section
 857 322.05, Florida Statutes, are renumbered as subsections (5)
 858 through (13), respectively, and a new subsection (4) is added to
 859 that section to read:

860 322.05 Persons not to be licensed.—The department may not
 861 issue a license:

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

865 Section 18. Subsection (3) of section 322.07, Florida
 866 Statutes, is amended to read:

867 322.07 Instruction permits and temporary licenses.—

868 (3) Any person who, except for his or her lack of
 869 instruction in operating a commercial motor vehicle, would
 870 otherwise be qualified to obtain a commercial driver license
 871 under this chapter, may apply for a temporary commercial
 872 instruction permit. The department shall issue such a permit
 873 entitling the applicant, while having the permit in his or her
 874 immediate possession, to drive a commercial motor vehicle on the
 875 highways, if:

876 (a) The applicant possesses a valid Florida driver
 877 license; ~~and~~

878 (b) The applicant, while operating a commercial motor
 879 vehicle, is accompanied by a licensed driver who is 21 years of
 880 age or older, who is licensed to operate the class of vehicle
 881 being operated, and who is occupying the closest seat to the
 882 right of the driver; and

883 (c) The department has not been notified that, pursuant to
 884 49 C.F.R. s. 382.501(a), the applicant is prohibited from
 885 operating a commercial motor vehicle.

886 Section 19. Effective January 1, 2024, subsection (3) of
 887 section 322.141, Florida Statutes, is amended to read:

888 322.141 Color or markings of certain licenses or
 889 identification cards.—

890 (3) All licenses for the operation of motor vehicles or
 891 identification cards originally issued or reissued by the
 892 department to persons who are designated as sexual predators
 893 under s. 775.21 or subject to registration as sexual offenders
 894 under s. 943.0435 or s. 944.607, or who have a similar
 895 designation or are subject to a similar registration under the
 896 laws of another jurisdiction, shall have printed in the color
 897 red all information otherwise required to be printed on the
 898 front of the license or identification card, as well as the
 899 following:

900 (a) For a person designated as a sexual predator under s.

901 775.21 or who has a similar designation under the laws of
 902 another jurisdiction, the marking "SEXUAL PREDATOR."

903 (b) For a person subject to registration as a sexual
 904 offender under s. 943.0435 or s. 944.607, or subject to a
 905 similar registration under the laws of another jurisdiction, the
 906 marking "943.0435, F.S."

907 Section 20. Paragraphs (m) and (n) of subsection (4) of
 908 section 322.142, Florida Statutes, are amended, and paragraphs
 909 (o) and (p) are added to that subsection, to read:

910 322.142 Color photographic or digital imaged licenses.—

911 (4) The department may maintain a film negative or print
 912 file. The department shall maintain a record of the digital
 913 image and signature of the licensees, together with other data
 914 required by the department for identification and retrieval.
 915 Reproductions from the file or digital record are exempt from
 916 the provisions of s. 119.07(1) and may be made and issued only:

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

- 919 1. A justice or judge of this state;
- 920 2. An employee of the state courts system who works in a
 921 position that is designated in writing for access by the Chief
 922 Justice of the Supreme Court or a chief judge of a district or
 923 circuit court, or by his or her designee; or
- 924 3. A government employee who performs functions on behalf
 925 of the state courts system in a position that is designated in

926 writing for access by the Chief Justice or a chief judge, or by
 927 his or her designee; ~~or~~

928 (n) To the Agency for Health Care Administration pursuant
 929 to an interagency agreement to prevent health care fraud. If the
 930 Agency for Health Care Administration enters into an agreement
 931 with a private entity to carry out duties relating to health
 932 care fraud prevention, such contracts shall include, but need
 933 not be limited to:

934 1. Provisions requiring internal controls and audit
 935 processes to identify access, use, and unauthorized access of
 936 information.

937 2. A requirement to report unauthorized access or use to
 938 the Agency for Health Care Administration within 1 business day
 939 after the discovery of the unauthorized access or use.

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

942 (o) To any criminal justice agency, as defined in s.
 943 943.045, pursuant to an interagency agreement for use in
 944 carrying out the criminal justice agency's functions; or

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

948 Section 21. Subsection (8) and paragraph (a) of subsection
 949 (9) of section 322.21, Florida Statutes, are amended to read:

950 322.21 License fees; procedure for handling and collecting

951 fees.—

952 (8) A person who applies for reinstatement following the
 953 suspension or revocation of the person's driver license must pay
 954 a service fee of \$45 following a suspension, and \$75 following a
 955 revocation, which is in addition to the fee for a license. A
 956 person who applies for reinstatement of a commercial driver
 957 license following the disqualification or downgrade of the
 958 person's privilege to operate a commercial motor vehicle shall
 959 pay a service fee of \$75, which is in addition to the fee for a
 960 license. The department shall collect all of these fees at the
 961 time of reinstatement. The department shall issue proper
 962 receipts for such fees and shall promptly transmit all funds
 963 received by it as follows:

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

966 1. If the reinstatement is processed by the department,
 967 the department shall deposit \$15 in the General Revenue Fund and
 968 \$30 in the Highway Safety Operating Trust Fund.

969 2. If the reinstatement is processed by the tax collector,
 970 \$15, less the general revenue service charge set forth in s.
 971 215.20(1), shall be retained by the tax collector, \$15 shall be
 972 deposited into the Highway Safety Operating Trust Fund, and \$15
 973 shall be deposited into the General Revenue Fund.

974 (b) Of the \$75 fee received from a licensee for
 975 reinstatement following a revocation, ~~or~~ disqualification, or

976 downgrade:

977 1. If the reinstatement is processed by the department,
 978 the department shall deposit \$35 in the General Revenue Fund and
 979 \$40 in the Highway Safety Operating Trust Fund.

980 2. If the reinstatement is processed by the tax collector,
 981 \$20, less the general revenue service charge set forth in s.
 982 215.20(1), shall be retained by the tax collector, \$20 shall be
 983 deposited into the Highway Safety Operating Trust Fund, and \$35
 984 shall be deposited into the General Revenue Fund.

985
 986 If the revocation or suspension of the driver license was for a
 987 violation of s. 316.193, or for refusal to submit to a lawful
 988 breath, blood, or urine test, an additional fee of \$130 must be
 989 charged. However, only one \$130 fee may be collected from one
 990 person convicted of violations arising out of the same incident.

991 The department shall collect the \$130 fee and deposit the fee
 992 into the Highway Safety Operating Trust Fund at the time of
 993 reinstatement of the person's driver license, but the fee may
 994 not be collected if the suspension or revocation is overturned.

995 If the revocation or suspension of the driver license was for a
 996 conviction for a violation of s. 817.234(8) or (9) or s.

997 817.505, an additional fee of \$180 is imposed for each offense.

998 The department shall collect and deposit the additional fee into
 999 the Highway Safety Operating Trust Fund at the time of
 1000 reinstatement of the person's driver license.

1001 (9) An applicant:

1002 (a) Requesting a review authorized in s. 322.222, s.

1003 322.2615, s. 322.2616, s. 322.27, s. 322.591, or s. 322.64 must

1004 pay a filing fee of \$25 to be deposited into the Highway Safety

1005 Operating Trust Fund.

1006 Section 22. Section 322.591, Florida Statutes, is created

1007 to read:

1008 322.591 Commercial driver license and commercial

1009 instruction permit; Commercial Driver's License Drug and Alcohol

1010 Clearinghouse; prohibition on issuance of commercial driver

1011 licenses; downgrades.-

1012 (1) Beginning November 18, 2024, when a person applies for

1013 or seeks to renew, transfer, or make any other change to a

1014 commercial driver license or commercial instruction permit, the

1015 department must obtain the driver's record from the Commercial

1016 Driver's License Drug and Alcohol Clearinghouse established

1017 pursuant to 49 C.F.R. part 382. The department may not issue,

1018 renew, transfer, or revise the types of authorized vehicles that

1019 may be operated or the endorsements applicable to a commercial

1020 driver license or commercial instruction permit for any person

1021 for whom the department receives notification that, pursuant to

1022 49 C.F.R. s. 382.501(a), the person is prohibited from operating

1023 a commercial vehicle.

1024 (2) Beginning November 18, 2024, the department shall

1025 downgrade the commercial driver license or commercial

1026 instruction permit of any driver if the department receives
 1027 notification that, pursuant to 49 C.F.R. s. 382.501(a), the
 1028 driver is prohibited from operating a commercial motor vehicle.
 1029 Any such downgrade must be completed and recorded by the
 1030 department in the Commercial Driver's License Information System
 1031 within 60 days after the department's receipt of such
 1032 notification.

1033 (3)(a) Beginning November 18, 2024, upon receipt of
 1034 notification that, pursuant to 49 C.F.R. s. 382.501(a), a driver
 1035 is prohibited from operating a commercial motor vehicle, the
 1036 department shall immediately notify the driver who is the
 1037 subject of such notification that he or she is prohibited from
 1038 operating a commercial motor vehicle and, upon his or her
 1039 request, must afford him or her an opportunity for an informal
 1040 hearing pursuant to this section. The department's notice must
 1041 be provided to the driver in the same manner as, and providing
 1042 such notice has the same effect as, notices provided pursuant to
 1043 s. 322.251(1) and (2).

1044 (b) Such informal hearing must be requested not later than
 1045 20 days after the driver receives the notice of the downgrade.
 1046 If a request for a hearing, together with the filing fee
 1047 required pursuant to s. 322.21, is not received within 20 days
 1048 after receipt of such notice, the department must enter a final
 1049 order directing the downgrade of the driver's commercial driver
 1050 license or commercial instruction permit unless the department

1051 receives notification that, pursuant to 49 C.F.R. s. 382.503(a),
1052 the driver is no longer prohibited from operating a commercial
1053 motor vehicle.

1054 (c) A hearing requested pursuant to paragraph (b) must be
1055 scheduled and held not later than 30 days after receipt by the
1056 department of a request for the hearing, together with the
1057 filing fee required pursuant to s. 322.21. The submission of a
1058 request for hearing pursuant to this subsection tolls the
1059 deadline to file a petition for writ of certiorari pursuant to
1060 s. 322.31 until after the department enters a final order after
1061 a hearing pursuant to this subsection.

1062 (d) The informal hearing authorized pursuant to this
1063 subsection is exempt from chapter 120. Such hearing must be
1064 conducted before a hearing officer designated by the department.
1065 The hearing officer may conduct such hearing from any location
1066 in this state by means of communications technology.

1067 (e) The notification received by the department pursuant
1068 to 49 C.F.R. s. 382.501(a) must be in the record for
1069 consideration by the hearing officer and in any proceeding
1070 pursuant to s. 322.31 and is considered self-authenticating. The
1071 basis for the notification received by the department pursuant
1072 to 49 C.F.R. s. 382.501(a) and the information in the Commercial
1073 Driver's License Drug and Alcohol Clearinghouse which resulted
1074 in such notification are not subject to challenge in the hearing
1075 or in any proceeding brought under s. 322.31.

1076 (f) If, before the entry of a final order arising from a
 1077 notification received by the department pursuant to 49 C.F.R. s.
 1078 382.501(a), the department receives notification that, pursuant
 1079 to 49 C.F.R. s. 382.503(a), the driver is no longer prohibited
 1080 from operating a commercial motor vehicle, the department must
 1081 dismiss the action to downgrade the driver's commercial driver
 1082 license or commercial instruction permit.

1083 (g) Upon the entry of a final order that results in the
 1084 downgrade of a driver's commercial driver license or commercial
 1085 instruction permit, the department shall record immediately in
 1086 the driver's record that the driver is disqualified from
 1087 operating or driving a commercial motor vehicle. The downgrade
 1088 of a commercial driver license or commercial instruction permit
 1089 pursuant to a final order entered pursuant to this section, and,
 1090 upon the entry of a final order, the recording in the driver's
 1091 record that the driver subject to such a final order is
 1092 disqualified from operating or driving a commercial motor
 1093 vehicle, are not stayed during the pendency of any proceeding
 1094 pursuant to s. 322.31.

1095 (h) If, after the entry of a final order that results in
 1096 the downgrade of a driver's commercial driver license or
 1097 commercial instruction permit and the department's recording in
 1098 the driver's record that the driver is disqualified from
 1099 operating or driving a commercial motor vehicle, the department
 1100 receives notification that, pursuant to 49 C.F.R. s. 382.503(a),

1101 the driver is no longer prohibited from operating a commercial
 1102 motor vehicle, the department must reinstate the driver's
 1103 commercial driver license or commercial instruction permit upon
 1104 application by such driver.

1105 (i) The department is not liable for any commercial driver
 1106 license or commercial instruction permit downgrade resulting
 1107 from the discharge of its duties.

1108 (j) This section is the exclusive procedure for the
 1109 downgrade of a commercial driver license or commercial
 1110 instruction permit following notification received by the
 1111 department that, pursuant to 49 C.F.R. s. 382.501(a), a driver
 1112 is prohibited from operating a commercial motor vehicle.

1113 (k) The downgrade of a commercial driver license or
 1114 commercial instruction permit of a person pursuant to this
 1115 section does not preclude the suspension of the driving
 1116 privilege for that person pursuant to s. 322.2615 or the
 1117 disqualification of that person from operating a commercial
 1118 motor vehicle pursuant to s. 322.64. The driving privilege of a
 1119 person whose commercial driver license or commercial instruction
 1120 permit has been downgraded pursuant to this section also may be
 1121 suspended for a violation of s. 316.193.

1122 (4) Beginning November 18, 2024, a driver for whom the
 1123 department receives notification that, pursuant to 49 C.F.R. s.
 1124 382.501(a), such person is prohibited from operating a
 1125 commercial motor vehicle may, if otherwise qualified, be issued

1126 a Class E driver license pursuant to s. 322.251(4), valid for
1127 the length of his or her unexpired license period, at no cost.

1128 Section 23. Subsection (2) of section 322.34, Florida
1129 Statutes, is amended to read:

1130 322.34 Driving while license suspended, revoked, canceled,
1131 or disqualified.—

1132 (2) Any person whose driver license or driving privilege
1133 has been canceled, suspended, or revoked as provided by law, or
1134 who does not have a driver license or driving privilege but is
1135 under suspension or revocation equivalent status as defined in
1136 s. 322.01(43) ~~s. 322.01(42)~~, except persons defined in s.

1137 322.264, who, knowing of such cancellation, suspension,
1138 revocation, or suspension or revocation equivalent status,
1139 drives any motor vehicle upon the highways of this state while
1140 such license or privilege is canceled, suspended, or revoked, or
1141 while under suspension or revocation equivalent status, commits:

1142 (a) A misdemeanor of the second degree, punishable as
1143 provided in s. 775.082 or s. 775.083.

1144 (b)1. A misdemeanor of the first degree, punishable as
1145 provided in s. 775.082 or s. 775.083, upon a second or
1146 subsequent conviction, except as provided in paragraph (c).

1147 2. A person convicted of a third or subsequent conviction,
1148 except as provided in paragraph (c), must serve a minimum of 10
1149 days in jail.

1150 (c) A felony of the third degree, punishable as provided

1151 in s. 775.082, s. 775.083, or s. 775.084, upon a third or
 1152 subsequent conviction if the current violation of this section
 1153 or the most recent prior violation of the section is related to
 1154 driving while license canceled, suspended, revoked, or
 1155 suspension or revocation equivalent status resulting from a
 1156 violation of:

- 1157 1. Driving under the influence;
- 1158 2. Refusal to submit to a urine, breath-alcohol, or blood
 1159 alcohol test;
- 1160 3. A traffic offense causing death or serious bodily
 1161 injury; or
- 1162 4. Fleeing or eluding.

1163
 1164 The element of knowledge is satisfied if the person has been
 1165 previously cited as provided in subsection (1); or the person
 1166 admits to knowledge of the cancellation, suspension, or
 1167 revocation, or suspension or revocation equivalent status; or
 1168 the person received notice as provided in subsection (4). There
 1169 shall be a rebuttable presumption that the knowledge requirement
 1170 is satisfied if a judgment or order as provided in subsection
 1171 (4) appears in the department's records for any case except for
 1172 one involving a suspension by the department for failure to pay
 1173 a traffic fine or for a financial responsibility violation.

1174 Section 24. Subsection (4) of section 322.61, Florida
 1175 Statutes, is amended to read:

1176 322.61 Disqualification from operating a commercial motor
1177 vehicle.—

1178 (4) Any person who is transporting hazardous materials as
1179 defined in s. 322.01(25) ~~s. 322.01(24)~~ shall, upon conviction of
1180 an offense specified in subsection (3), be disqualified from
1181 operating a commercial motor vehicle for a period of 3 years.
1182 The penalty provided in this subsection shall be in addition to
1183 any other applicable penalty.

1184 Section 25. Subsection (3) of section 324.0221, Florida
1185 Statutes, is amended to read:

1186 324.0221 Reports by insurers to the department; suspension
1187 of driver license and vehicle registrations; reinstatement.—

1188 (3) An operator or owner whose driver license or
1189 registration has been suspended under this section or s. 316.646
1190 may effect its reinstatement upon compliance with the
1191 requirements of this section and upon payment to the department
1192 of a nonrefundable reinstatement fee of \$150 for the first
1193 reinstatement. The reinstatement fee is \$250 for the second
1194 reinstatement and \$500 for each subsequent reinstatement during
1195 the 3 years following the first reinstatement. A person
1196 reinstating her or his insurance under this subsection must also
1197 secure ~~noncancelable~~ coverage as described in ss. 324.021(8),
1198 324.023, and 627.7275(2) and present to the appropriate person
1199 proof that the coverage is in force on a form adopted by the
1200 department, and such proof shall be maintained for 2 years. If

1201 the person does not have a second reinstatement within 3 years
 1202 after her or his initial reinstatement, the reinstatement fee is
 1203 \$150 for the first reinstatement after that 3-year period. If a
 1204 person's license and registration are suspended under this
 1205 section or s. 316.646, only one reinstatement fee must be paid
 1206 to reinstate the license and the registration. All fees shall be
 1207 collected by the department at the time of reinstatement. The
 1208 department shall issue proper receipts for such fees and shall
 1209 promptly deposit those fees in the Highway Safety Operating
 1210 Trust Fund. One-third of the fees collected under this
 1211 subsection shall be distributed from the Highway Safety
 1212 Operating Trust Fund to the local governmental entity or state
 1213 agency that employed the law enforcement officer seizing the
 1214 license plate pursuant to s. 324.201. The funds may be used by
 1215 the local governmental entity or state agency for any authorized
 1216 purpose.

1217 Section 26. Section 324.131, Florida Statutes, is amended
 1218 to read:

1219 324.131 Period of suspension.—Such license, registration
 1220 and nonresident's operating privilege shall remain so suspended
 1221 and shall not be renewed, nor shall any such license or
 1222 registration be thereafter issued in the name of such person,
 1223 including any such person not previously licensed, unless and
 1224 until every such judgment is stayed, satisfied in full or to the
 1225 extent of the limits stated in s. 324.021(7) and until the said

1226 person gives proof of financial responsibility as provided in s.
1227 324.031, such proof to be maintained for 3 years. In addition,
1228 if the person's license or registration has been suspended or
1229 revoked due to a violation of s. 316.193 or pursuant to s.
1230 322.26(2), that person shall maintain ~~noncancelable~~ liability
1231 coverage for each motor vehicle registered in his or her name,
1232 as described in s. 627.7275(2), and must present proof that
1233 coverage is in force on a form adopted by the Department of
1234 Highway Safety and Motor Vehicles, such proof to be maintained
1235 for 3 years.

1236 Section 27. Paragraph (g) of subsection (3) of section
1237 627.311, Florida Statutes, is amended to read:

1238 627.311 Joint underwriters and joint reinsurers; public
1239 records and public meetings exemptions.—

1240 (3) The office may, after consultation with insurers
1241 licensed to write automobile insurance in this state, approve a
1242 joint underwriting plan for purposes of equitable apportionment
1243 or sharing among insurers of automobile liability insurance and
1244 other motor vehicle insurance, as an alternate to the plan
1245 required in s. 627.351(1). All insurers authorized to write
1246 automobile insurance in this state shall subscribe to the plan
1247 and participate therein. The plan shall be subject to continuous
1248 review by the office which may at any time disapprove the entire
1249 plan or any part thereof if it determines that conditions have
1250 changed since prior approval and that in view of the purposes of

1251 the plan changes are warranted. Any disapproval by the office
 1252 shall be subject to the provisions of chapter 120. The Florida
 1253 Automobile Joint Underwriting Association is created under the
 1254 plan. The plan and the association:

1255 (g) Must make available ~~noncancelable~~ coverage as provided
 1256 in s. 627.7275(2).

1257 Section 28. Subsection (1) of section 627.351, Florida
 1258 Statutes, is amended to read:

1259 627.351 Insurance risk apportionment plans.—

1260 (1) MOTOR VEHICLE INSURANCE RISK APPORTIONMENT.—Agreements
 1261 may be made among casualty and surety insurers with respect to
 1262 the equitable apportionment among them of insurance that ~~which~~
 1263 may be afforded applicants who are in good faith entitled to,
 1264 but are unable to, procure such insurance through ordinary
 1265 methods, and such insurers may agree among themselves on the use
 1266 of reasonable rate modifications for such insurance. Such
 1267 agreements and rate modifications are ~~shall be~~ subject to the
 1268 approval of the office. The office shall, after consultation
 1269 with the insurers licensed to write automobile liability
 1270 insurance in this state, adopt a reasonable plan or plans for
 1271 the equitable apportionment among such insurers of applicants
 1272 for such insurance who are in good faith entitled to, but are
 1273 unable to, procure such insurance through ordinary methods, and,
 1274 when such plan has been adopted, all such insurers shall
 1275 subscribe to and participate in the plan ~~thereto and shall~~

1276 ~~participate therein~~. Such plan or plans shall include rules for
1277 classification of risks and rates therefor. The plan or plans
1278 shall make available ~~noncancelable~~ coverage as provided in s.
1279 627.7275(2). Any insured placed with the plan must ~~shall~~ be
1280 notified of the fact that insurance coverage is being afforded
1281 through the plan and not through the private market, and such
1282 notification must ~~shall~~ be given in writing within 10 days of
1283 such placement. To ensure ~~assure~~ that plan rates are made
1284 adequate to pay claims and expenses, insurers shall develop a
1285 means of obtaining loss and expense experience at least
1286 annually, and the plan shall file such experience, when
1287 available, with the office in sufficient detail to make a
1288 determination of rate adequacy. Before ~~Prior to~~ the filing of
1289 such experience with the office, the plan shall poll each member
1290 insurer as to the need for an actuary who is a member of the
1291 Casualty Actuarial Society and who is not affiliated with the
1292 plan's statistical agent to certify the plan's rate adequacy. If
1293 a majority of those insurers responding indicate a need for such
1294 certification, the plan must ~~shall~~ include the certification as
1295 part of its experience filing. Such experience must ~~shall~~ be
1296 filed with the office not more than 9 months following the end
1297 of the annual statistical period under review, together with a
1298 rate filing based on such ~~said~~ experience. The office shall
1299 initiate proceedings to disapprove the rate and so notify the
1300 plan or shall finalize its review within 60 days after ~~of~~

1301 receipt of the filing. Notification to the plan by the office of
 1302 its preliminary findings, which include a point of entry to the
 1303 plan pursuant to chapter 120, tolls ~~shall toll~~ the 60-day period
 1304 during any such proceedings and subsequent judicial review. The
 1305 rate is ~~shall be~~ deemed approved if the office does not issue
 1306 notice to the plan of its preliminary findings within 60 days
 1307 after ~~of~~ the filing. In addition to provisions for claims and
 1308 expenses, the ratemaking formula must ~~shall~~ include a factor for
 1309 projected claims trending and 5 percent for contingencies. ~~In no~~
 1310 ~~instance shall~~ The formula may not include a renewal discount
 1311 for plan insureds. However, the plan shall reunderwrite each
 1312 insured on an annual basis, based upon all applicable rating
 1313 factors approved by the office. Trend factors may ~~shall~~ not be
 1314 found to be inappropriate if they are not in excess of trend
 1315 factors normally used in the development of residual market
 1316 rates by the appropriate licensed rating organization. Each
 1317 application for coverage in the plan must ~~shall~~ include, in
 1318 boldfaced 12-point type immediately preceding the applicant's
 1319 signature, the following statement:

1320 "THIS INSURANCE IS BEING AFFORDED THROUGH THE FLORIDA JOINT
 1321 UNDERWRITING ASSOCIATION AND NOT THROUGH THE PRIVATE MARKET.
 1322 PLEASE BE ADVISED THAT COVERAGE WITH A PRIVATE INSURER MAY BE
 1323 AVAILABLE FROM ANOTHER AGENT AT A LOWER COST. AGENT AND COMPANY
 1324 LISTINGS ARE AVAILABLE IN THE LOCAL YELLOW PAGES."

1325 The plan shall annually report to the office the number and

1326 percentage of plan insureds who are not surcharged due to their
 1327 driving record.

1328 Section 29. Paragraph (b) of subsection (2) of section
 1329 627.7275, Florida Statutes, is amended to read:

1330 627.7275 Motor vehicle liability.—

1331 (2)

1332 (b) The policies described in paragraph (a) shall be
 1333 issued for at least 6 months ~~and, as to the minimum coverages~~
 1334 ~~required under this section, may not be canceled by the insured~~
 1335 ~~for any reason or by the insurer after 60 days, during which~~
 1336 ~~period the insurer is completing the underwriting of the policy.~~
 1337 After the insurer has issued ~~completed underwriting~~ the policy,
 1338 the insurer shall notify the Department of Highway Safety and
 1339 Motor Vehicles that the policy is in full force and effect ~~and~~
 1340 ~~is not cancelable for the remainder of the policy period. A~~
 1341 ~~premium shall be collected and the coverage is in effect for the~~
 1342 ~~60-day period during which the insurer is completing the~~
 1343 ~~underwriting of the policy whether or not the person's driver~~
 1344 ~~license, motor vehicle tag, and motor vehicle registration are~~
 1345 ~~in effect.~~ Once the ~~noncancelable provisions of~~ the policy
 1346 becomes ~~become~~ effective, the coverages for bodily injury,
 1347 property damage, and personal injury protection may not be
 1348 reduced below the minimum limits required under s. 324.021 or s.
 1349 324.023 during the policy period.

1350 Section 30. Except as otherwise expressly provided in this

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2023

1351 | act, this act shall take effect July 1, 2023. |