

26 | 319.29, F.S.; prohibiting the department or a tax
 27 | collector from charging a fee for reissuance of
 28 | certain certificates of title; amending s. 319.30,
 29 | F.S.; revising and providing definitions; providing
 30 | requirements for an independent entity's release of a
 31 | damaged or dismantled vessel to the owner; authorizing
 32 | the independent entity to apply for certain
 33 | certificates for an unclaimed vessel; providing
 34 | requirements for such application; specifying
 35 | provisions to which the independent entity is subject;
 36 | prohibiting the independent entity from charging
 37 | vessel storage fees; amending s. 320.06, F.S.;
 38 | authorizing permanent registration of certain rental
 39 | trucks; authorizing the department to deem a license
 40 | plate with reduced dimensions to be necessary to
 41 | accommodate trailers; amending s. 320.08058, F.S.;
 42 | revising the distribution and use of fees collected
 43 | from the sale of the Protect Florida Springs license
 44 | plate; revising the words appearing on the American
 45 | Eagle license plate; amending s. 320.084, F.S.;
 46 | authorizing certain disabled veterans to be issued a
 47 | military license plate or specialty license plate in
 48 | lieu of a "DV" license plate; specifying applicable
 49 | fees; specifying nonapplicability of certain
 50 | provisions; amending s. 322.01, F.S.; revising and

51 providing definitions; amending s. 322.02, F.S.;

52 charging the department with enforcement and

53 administration of certain federal provisions; amending

54 s. 322.05, F.S.; prohibiting the department from

55 issuing a commercial motor vehicle operator license to

56 certain persons; amending s. 322.07, F.S.; revising

57 requirements for issuance of a temporary commercial

58 instruction permit; amending s. 322.141, F.S.;

59 requiring certain information on the driver license or

60 identification card of a sexual offender or sexual

61 predator to be printed in red; amending s. 322.142,

62 F.S.; authorizing the department to issue

63 reproductions of certain files and records to certain

64 criminal justice or driver licensing agencies for

65 certain purposes; amending s. 322.21, F.S.;

66 authorizing reinstatement of a commercial driver

67 license after a downgrade of the person's privilege to

68 operate a commercial motor vehicle under certain

69 circumstances; creating s. 322.591, F.S.; requiring

70 the department to obtain a driver's record from the

71 Commercial Driver's License Drug and Alcohol

72 Clearinghouse under certain circumstances; prohibiting

73 the department from issuing, renewing, transferring,

74 or revising the types of authorized vehicles or the

75 endorsements of certain commercial driver licenses or

76 commercial instruction permits if the department
 77 receives a certain notification; requiring the
 78 department to downgrade a commercial driver license or
 79 commercial instruction permit within a specified
 80 timeframe if the department receives a certain
 81 notification; requiring the department to notify
 82 certain drivers of their prohibition from operating a
 83 commercial motor vehicle and, upon request, afford
 84 them an opportunity for an informal hearing; providing
 85 requirements for such notice and hearing; requiring
 86 the department to enter a final order to downgrade a
 87 commercial driver license or commercial instruction
 88 permit under certain circumstances; specifying that a
 89 request for a hearing tolls certain deadlines;
 90 specifying that certain notifications received by the
 91 department must be in the record for consideration and
 92 are self-authenticating; specifying that the basis for
 93 the notification and the information in the Commercial
 94 Driver's License Drug and Alcohol Clearinghouse are
 95 not subject to challenge; requiring the department to
 96 dismiss the downgrade of a commercial driver license
 97 or instruction permit under certain circumstances;
 98 requiring the department to record in the driver's
 99 record that he or she is disqualified from operating a
 100 commercial motor vehicle under certain circumstances;

101 specifying that certain actions are not stayed during
 102 the pendency of certain proceedings; requiring the
 103 department to reinstate a commercial driver license or
 104 commercial instruction permit under certain
 105 circumstances; exempting the department from liability
 106 for certain commercial driver license or commercial
 107 instruction permit downgrades; designating the
 108 exclusive procedure for the downgrade of commercial
 109 driver licenses or commercial instruction permits;
 110 providing construction and applicability; authorizing
 111 the department to issue at no cost a specified driver
 112 license to certain persons prohibited from operating a
 113 commercial motor vehicle; amending ss. 322.34 and
 114 322.61, F.S.; conforming cross-references; amending
 115 ss. 324.0221, 324.131, 627.311, and 627.351, F.S.;
 116 conforming provisions to changes made by the act;
 117 amending s. 627.7275, F.S.; removing provisions
 118 relating to noncancelable motor vehicle insurance;
 119 providing effective dates.

120

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

122

123 Section 1. Paragraph (a) of subsection (1) of section
 124 207.004, Florida Statutes, is amended to read:

125 207.004 Registration of motor carriers; identifying

126 devices; fees; renewals; temporary fuel-use permits and
 127 driveaway permits.—

128 (1)(a) A ~~No~~ motor carrier may not ~~shall~~ operate or cause
 129 to be operated in this state any commercial motor vehicle, other
 130 than a Florida-based commercial motor vehicle that travels
 131 Florida intrastate mileage only, that uses diesel fuel or motor
 132 fuel until such carrier has registered with the department or
 133 has registered under a cooperative reciprocal agreement as
 134 described in s. 207.0281, after such time as this state enters
 135 into such agreement, and has been issued an identifying device
 136 or such carrier has been issued a permit as authorized under
 137 subsections (4) and (5) for each vehicle operated. The fee for
 138 each such identifying device issued is ~~There shall be a fee of~~
 139 ~~\$4 per year or any fraction thereof for each such identifying~~
 140 ~~device issued.~~ The identifying device must ~~shall~~ be provided by
 141 the department and must be conspicuously displayed on the
 142 commercial motor vehicle as prescribed by the department while
 143 it is being operated on the public highways of this state. The
 144 transfer of an identifying device from one vehicle to another
 145 vehicle or from one motor carrier to another motor carrier is
 146 prohibited. The department or its authorized agent shall issue
 147 licenses and fuel tax decals.

148 Section 2. The Legislature finds that a proper and
 149 legitimate purpose is served when crash reports required under
 150 s. 316.066, Florida Statutes, are filed electronically with the

151 Department of Highway Safety and Motor Vehicles by all entities
 152 required to submit crash reports. Electronic filing will
 153 expedite the availability of crash reports to the persons
 154 authorized to receive them, simplify the process of making crash
 155 reports available, and expedite the availability of information
 156 derived from crash reports to improve highway safety. The
 157 requirement of this act that all law enforcement agencies that
 158 prepare crash reports submit the completed crash reports
 159 electronically to the Department of Highway Safety and Motor
 160 Vehicles applies to all similarly situated persons, including
 161 school district law enforcement agencies, state university law
 162 enforcement agencies, and state law enforcement agencies.
 163 Therefore, the Legislature determines and declares that the
 164 amendments made by this act to s. 316.066, Florida Statutes,
 165 fulfill an important state interest.

166 Section 3. Effective July 1, 2025, paragraph (a) of
 167 subsection (1) of section 316.066, Florida Statutes, is amended
 168 to read:

169 316.066 Written reports of crashes; electronic
 170 submission.—

171 (1) (a) All traffic law enforcement agencies must provide
 172 uniform crash reports by electronic means to the department.
 173 Such crash reports must be consistent with the state traffic
 174 crash manual rules and the procedures established by the
 175 department and must be appropriately numbered and inventoried. A

176 Florida Traffic Crash Report, Long Form must be completed and
 177 electronically submitted to the department within 10 days after
 178 an investigation is completed by the law enforcement officer who
 179 in the regular course of duty investigates a motor vehicle crash
 180 that:

- 181 1. Resulted in death of, personal injury to, or any
- 182 indication of complaints of pain or discomfort by any of the
- 183 parties or passengers involved in the crash;
- 184 2. Involved a violation of s. 316.061(1) or s. 316.193;
- 185 3. Rendered a vehicle inoperable to a degree that required
- 186 a wrecker to remove it from the scene of the crash; or
- 187 4. Involved a commercial motor vehicle.

188 Section 4. Paragraph (b) of subsection (1) of section
 189 316.2935, Florida Statutes, is amended to read:

190 316.2935 Air pollution control equipment; tampering
 191 prohibited; penalty.—

192 (1)

193 (b) At the time of sale, lease, or transfer of title of a
 194 motor vehicle, the seller, lessor, or transferor shall certify
 195 in writing to the purchaser, lessee, or transferee that the air
 196 pollution control equipment of the motor vehicle has not been
 197 tampered with by the seller, lessor, or transferor or their
 198 agents, employees, or other representatives. A licensed motor
 199 vehicle dealer shall also visually observe those air pollution
 200 control devices listed by department rule pursuant to subsection

201 (7), and certify that they are in place, and appear properly
 202 connected and undamaged. Such certification shall not be deemed
 203 or construed as a warranty that the pollution control devices of
 204 the subject vehicle are in functional condition, nor does the
 205 execution or delivery of this certification create by itself
 206 grounds for a cause of action between the parties to this
 207 transaction. This paragraph does not apply when the purchaser of
 208 the motor vehicle is a lessee purchasing the leased motor
 209 vehicle and the licensed motor vehicle dealer is not in
 210 possession of the motor vehicle at the time of sale.

211 Section 5. Paragraphs (a), (b), and (e) of subsection (1),
 212 paragraph (d) of subsection (2), and subsection (9) of section
 213 316.302, Florida Statutes, are amended to read:

214 316.302 Commercial motor vehicles; safety regulations;
 215 transporters and shippers of hazardous materials; enforcement.—

216 (1)(a) All owners and drivers of commercial motor vehicles
 217 that are operated on the public highways of this state while
 218 engaged in interstate commerce are subject to the rules and
 219 regulations contained in 49 C.F.R. parts 382, 383, 384, 385,
 220 386, and 390-397.

221 (b) Except as otherwise provided in this section, all
 222 owners and drivers of commercial motor vehicles that are engaged
 223 in intrastate commerce are subject to the rules and regulations
 224 contained in 49 C.F.R. parts 382, 383, 384, 385, 386, and 390-
 225 397, as such rules and regulations existed on December 31, 2022

226 2020.

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

234 (2)

235 (d) A person who operates a commercial motor vehicle
 236 solely in intrastate commerce not transporting any hazardous
 237 material in amounts that require placarding pursuant to 49
 238 C.F.R. part 172 within a 150 air-mile radius of the location
 239 where the vehicle is based need not comply with 49 C.F.R. ss.
 240 395.8 and 395.11 ~~s. 395.8~~ if the requirements of 49 C.F.R. s.
 241 395.1(e)(1)(iii) and (iv) ~~s. 395.1(e)(1)(ii), (iii)(A) and (C),~~
 242 ~~and (v)~~ are met.

243 (9) For the purpose of enforcing this section, any law
 244 enforcement officer of the Department of Highway Safety and
 245 Motor Vehicles or duly appointed agent who holds a current
 246 safety inspector certification from the Commercial Vehicle
 247 Safety Alliance may require the driver of any commercial vehicle
 248 operated on the highways of this state to stop and submit to an
 249 inspection of the vehicle or the driver's records. If the
 250 vehicle or driver is found to be operating in an unsafe

251 condition, or if any required part or equipment is not present
 252 or is not in proper repair or adjustment, and the continued
 253 operation would present an unduly hazardous operating condition,
 254 the officer or agent may require the vehicle or the driver to be
 255 removed from service pursuant to the North American Standard
 256 Out-of-Service Criteria, until corrected. However, if continuous
 257 operation would not present an unduly hazardous operating
 258 condition, the officer or agent may give written notice
 259 requiring correction of the condition within 15 days.

260 (a) Any member of the Florida Highway Patrol or any law
 261 enforcement officer employed by a sheriff's office or municipal
 262 police department authorized to enforce the traffic laws of this
 263 state pursuant to s. 316.640 who has reason to believe that a
 264 vehicle or driver is operating in an unsafe condition may, as
 265 provided in subsection (11), enforce the provisions of this
 266 section.

267 (b) Any person who fails to comply with a ~~an officer's~~
 268 request to submit to an inspection under this subsection commits
 269 a violation of s. 843.02 if the person resists the officer
 270 without violence or a violation of s. 843.01 if the person
 271 resists the officer with violence.

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

274 319.14 Sale of motor vehicles registered or used as
 275 taxicabs, police vehicles, lease vehicles, rebuilt vehicles,

276 nonconforming vehicles, custom vehicles, or street rod vehicles;
 277 conversion of low-speed vehicles.—

278 (1)

279 (b) A person may not knowingly offer for sale, sell, or
 280 exchange a rebuilt vehicle until the department has stamped in a
 281 conspicuous place on the certificate of title for the vehicle
 282 words stating that the vehicle has been rebuilt or assembled
 283 from parts, or is a kit car, glider kit, replica, flood vehicle,
 284 custom vehicle, or street rod vehicle unless proper application
 285 for a certificate of title for a vehicle that is rebuilt or
 286 assembled from parts, or is a kit car, glider kit, replica,
 287 flood vehicle, custom vehicle, or street rod vehicle has been
 288 made to the department in accordance with this chapter and the
 289 department has conducted the physical examination of the vehicle
 290 to assure the identity of the vehicle and all major component
 291 parts, as defined in s. 319.30(1), which have been repaired or
 292 replaced. If a vehicle is identified as a flood vehicle, the
 293 words stamped on the certificate of title must identify the type
 294 of water that caused damage to the vehicle as "salt water,"
 295 "fresh water," or "other or unknown water type," as applicable.
 296 Thereafter, the department shall affix a decal to the vehicle,
 297 in the manner prescribed by the department, showing the vehicle
 298 to be rebuilt.

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

300 9.1. "Police vehicle" means a motor vehicle owned or

301 leased by the state or a county or municipality and used in law
 302 enforcement.

303 ~~13.2.a.~~ "Short-term-lease vehicle" means a motor vehicle
 304 leased without a driver and under a written agreement to one or
 305 more persons from time to time for ~~a period of~~ less than 12
 306 months.

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

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

312 ~~10.3.~~ "Rebuilt vehicle" means a motor vehicle or mobile
 313 home built from salvage or junk, as defined in s. 319.30(1).

314 ~~1.4.~~ "Assembled from parts" means a motor vehicle or
 315 mobile home assembled from parts or combined from parts of motor
 316 vehicles or mobile homes, new or used. The term "assembled from
 317 parts" does not include ~~mean a motor vehicle defined as a~~
 318 "rebuilt vehicle as defined" in subparagraph ~~10. 3.,~~ which has
 319 been declared a total loss pursuant to s. 319.30.

320 5. "Kit car" means a motor vehicle assembled with a kit
 321 supplied by a manufacturer to rebuild a wrecked or outdated
 322 motor vehicle with a new body kit.

323 ~~4.6.~~ "Glider kit" means a vehicle assembled with a kit
 324 supplied by a manufacturer to rebuild a wrecked or outdated
 325 truck or truck tractor.

326 11.7. "Replica" means a complete new motor vehicle
 327 manufactured to look like an old vehicle.

328 ~~3.8.~~ "Flood vehicle" means a motor vehicle or mobile home
 329 that has been declared to be a total loss pursuant to s.
 330 319.30(3) (a) resulting from damage caused by salt water, fresh
 331 water, or other or unknown type of water.

332 8.9. "Nonconforming vehicle" means a motor vehicle that
 333 ~~which~~ has been purchased by a manufacturer pursuant to a
 334 settlement, determination, or decision under chapter 681.

335 ~~12.10.~~ "Settlement" means an agreement entered into
 336 between a manufacturer and a consumer which ~~that~~ occurs after a
 337 dispute is submitted to a program, or to an informal dispute
 338 settlement procedure established by a manufacturer, or is
 339 approved for arbitration before the Florida New Motor Vehicle
 340 Arbitration Board as defined in s. 681.102.

341 2.11. "Custom vehicle" means a motor vehicle that:

342 a. Is 25 years of age or older and of a model year after
 343 1948 or was manufactured to resemble a vehicle that is 25 years
 344 of age or older and of a model year after 1948; and

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

347
 348 The model year and year of manufacture that the body of a custom
 349 vehicle resembles is the model year and year of manufacture
 350 listed on the certificate of title, regardless of when the

351 vehicle was actually manufactured.

352 ~~14.12.~~ "Street rod" means a motor vehicle that:

353 a. Is of a model year of 1948 or older or was manufactured
 354 after 1948 to resemble a vehicle of a model year of 1948 or
 355 older; and

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

358

359 The model year and year of manufacture that the body of a street
 360 rod resembles is the model year and year of manufacture listed
 361 on the certificate of title, regardless of when the vehicle was
 362 actually manufactured.

363 Section 7. Subsection (3) of section 319.23, Florida
 364 Statutes, is amended to read:

365 319.23 Application for, and issuance of, certificate of
 366 title.—

367 (3) If a certificate of title has not previously been
 368 issued for a motor vehicle or mobile home in this state, the
 369 application, unless otherwise provided for in this chapter,
 370 shall be accompanied by a proper bill of sale or sworn statement
 371 of ownership, or a duly certified copy thereof, or by a
 372 certificate of title, bill of sale, or other evidence of
 373 ownership required by the law of the state or country ~~county~~
 374 from which the motor vehicle or mobile home was brought into
 375 this state. The application shall also be accompanied by:

376 (a)1. A sworn affidavit from the seller and purchaser
 377 verifying that the vehicle identification number shown on the
 378 affidavit is identical to the vehicle identification number
 379 shown on the motor vehicle; or

380 2. An appropriate departmental form evidencing that a
 381 physical examination has been made of the motor vehicle by the
 382 owner and by a duly constituted law enforcement officer in any
 383 state, a licensed motor vehicle dealer, a license inspector as
 384 provided by s. 320.58, or a notary public commissioned by this
 385 state and that the vehicle identification number shown on such
 386 form is identical to the vehicle identification number shown on
 387 the motor vehicle; and

388 (b) If the vehicle is a used car original, a sworn
 389 affidavit from the owner verifying that the odometer reading
 390 shown on the affidavit is identical to the odometer reading
 391 shown on the motor vehicle in accordance with the requirements
 392 of 49 C.F.R. s. 580.5 at the time that application for title is
 393 made. For the purposes of this section, the term "used car
 394 original" means a used vehicle coming into and being titled in
 395 this state for the first time.

396 (c) If the vehicle is an ancient or antique vehicle, as
 397 defined in s. 320.086, the application shall be accompanied by a
 398 certificate of title; a bill of sale and a registration; or a
 399 bill of sale and an affidavit by the owner defending the title
 400 from all claims. The bill of sale must contain a complete

401 vehicle description to include the vehicle identification or
 402 engine number, year make, color, selling price, and signatures
 403 of the seller and purchaser.

404
 405 Verification of the vehicle identification number is not
 406 required for any new motor vehicle; any mobile home; any trailer
 407 or semitrailer with a net weight of less than 2,000 pounds; or
 408 any travel trailer, camping trailer, truck camper, or fifth-
 409 wheel recreation trailer.

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

414 319.28 Transfer of ownership by operation of law.—

415 (1)

416 (c) If the previous owner died testate and the application
 417 for a certificate of title is made by, and accompanied by an
 418 affidavit attested by, a Florida-licensed attorney in good
 419 standing with The Florida Bar who is representing the previous
 420 owner's estate, such affidavit shall, for purposes of paragraph
 421 (a), constitute satisfactory proof of ownership and right of
 422 possession to the motor vehicle or mobile home, so long as the
 423 affidavit sets forth the rightful heir or heirs and the attorney
 424 attests in the affidavit that such heir or heirs are lawfully
 425 entitled to the rights of ownership and possession of the motor

426 vehicle or mobile home. It shall not be necessary for the
 427 application for certificate of title filed under this paragraph
 428 to be accompanied by a copy of the will or other testamentary
 429 instrument.

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

432 319.29 Lost or destroyed certificates.—

433 (3) If, following the issuance of an original, duplicate,
 434 or corrected certificate of title by the department, the
 435 certificate is lost in transit and is not delivered to the
 436 addressee, the owner of the motor vehicle or mobile home, or the
 437 holder of a lien thereon, may, within 180 days after ~~of~~ the date
 438 of issuance of the title, apply to the department for reissuance
 439 of the certificate of title. An ~~No~~ additional fee shall not be
 440 charged by the department or a tax collector, as agent for the
 441 department, for reissuance under this subsection.

442 Section 10. Paragraphs (g) and (j) of subsection (1) and
 443 subsection (9) of section 319.30, Florida Statutes, are amended,
 444 and paragraph (y) is added to subsection (1) of that section, to
 445 read:

446 319.30 Definitions; dismantling, destruction, change of
 447 identity of motor vehicle or mobile home; salvage.—

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

449 (g) "Independent entity" means a business or entity that
 450 may temporarily store damaged or dismantled motor vehicles or

451 vessels pursuant to an agreement with an insurance company and
 452 is engaged in the sale or resale of damaged or dismantled motor
 453 vehicles or vessels. The term does not include a wrecker
 454 operator, a towing company, or a repair facility.

455 (j) "Major component parts" means:

456 1. For motor vehicles other than motorcycles and electric,
 457 hybrid, or plug-in hybrid motor vehicles, any fender, hood,
 458 bumper, cowl assembly, rear quarter panel, trunk lid, door,
 459 decklid, floor pan, engine, frame, transmission, catalytic
 460 converter, or airbag.

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

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

468 4. For mobile homes, the frame.

469 5. For electric, hybrid, or plug-in hybrid motor vehicles,
 470 any fender, hood, bumper, cowl assembly, rear quarter panel,
 471 trunk lid, door, decklid, floor pan, engine, electric traction
 472 motor, frame, transmission or electronic transmission, charge
 473 port, DC power converter, onboard charger, power electronics
 474 controller, thermal system, traction battery pack, catalytic
 475 converter, or airbag.

476 (y) "Vessel" has the same meaning as provided in s.
 477 713.78(1)(b).

478 (9)(a) An insurance company may notify an independent
 479 entity that obtains possession of a damaged or dismantled motor
 480 vehicle or vessel to release the vehicle or vessel to the owner.
 481 The insurance company shall provide the independent entity a
 482 release statement on a form prescribed by the department
 483 authorizing the independent entity to release the vehicle or
 484 vessel to the owner or lienholder. The form must, at a minimum,
 485 contain the following:

- 486 1. The policy and claim number.
- 487 2. The name and address of the insured.
- 488 3. The vehicle identification number or vessel hull
 489 identification number.
- 490 4. The signature of an authorized representative of the
 491 insurance company.

492 (b) The independent entity in possession of a motor
 493 vehicle or vessel must send a notice to the owner that the
 494 vehicle or vessel is available for pickup when it receives a
 495 release statement from the insurance company. The notice shall
 496 be sent by certified mail or by another commercially available
 497 delivery service that provides proof of delivery to the owner at
 498 the owner's address contained in the department's records. The
 499 notice must state that the owner has 30 days after delivery of
 500 the notice to the owner at the owner's address to pick up the

501 vehicle or vessel from the independent entity. If the motor
 502 vehicle or vessel is not claimed within 30 days after the
 503 delivery or attempted delivery of the notice, the independent
 504 entity may apply for a certificate of destruction, a salvage
 505 certificate of title, or a certificate of title. For a hull-
 506 damaged vessel, the independent entity shall comply with s.
 507 328.045 as applicable.

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

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

513 2. For a vehicle, identify the latest titling jurisdiction
 514 of the vehicle through use of the National Motor Vehicle Title
 515 Information System or an equivalent commercially available
 516 system and attempt to obtain the owner's address from that
 517 jurisdiction. If the jurisdiction returns an address that is
 518 different from the owner's address provided by the insurance
 519 company, the independent entity must send a notice that meets
 520 the requirements of paragraph (b) to both addresses.

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

526 commercially available system~~7~~ and the notification to the
527 National Motor Vehicle Title Information System made pursuant to
528 paragraph (e).

529 (e) The independent entity shall make the required
530 notification to the National Motor Vehicle Title Information
531 System before releasing any damaged or dismantled motor vehicle
532 to the owner or before applying for a certificate of destruction
533 or salvage certificate of title. The independent entity is not
534 required to notify the National Motor Vehicle Title Information
535 System before releasing any damaged or dismantled vessel to the
536 owner or before applying for a certificate of title.

537 (f) Upon applying for a certificate of destruction, ~~or~~
538 salvage certificate of title, or certificate of title, the
539 independent entity shall provide a copy of the release statement
540 from the insurance company to the independent entity, proof of
541 providing the 30-day notice to the owner, proof of notification
542 to the National Motor Vehicle Title Information System if
543 required, proof of all lien satisfactions or proof of a release
544 of all liens on the motor vehicle or vessel, and applicable
545 fees. If the independent entity is unable to obtain a lien
546 satisfaction or a release of all liens on the motor vehicle or
547 vessel, the independent entity must provide an affidavit stating
548 that notice was sent to all lienholders that the motor vehicle
549 or vessel is available for pickup, 30 days have passed since the
550 notice was delivered or attempted to be delivered pursuant to

551 | this section, attempts have been made to obtain a release from
552 | all lienholders, and all such attempts have been to no avail.
553 | The notice to lienholders and attempts to obtain a release from
554 | lienholders may be by written request delivered in person or by
555 | certified mail or another commercially available delivery
556 | service that provides proof of delivery to the lienholder at the
557 | lienholder's address as provided on the certificate of title and
558 | to the address designated with the Department of State pursuant
559 | to s. 655.0201(2) if such address is different.

560 | (g) The independent entity may not charge an owner of the
561 | vehicle or vessel storage fees or apply for a title under s.
562 | 713.585 or s. 713.78.

563 | Section 11. Paragraph (b) of subsection (1) and paragraph
564 | (a) of subsection (3) of section 320.06, Florida Statutes, are
565 | amended to read:

566 | 320.06 Registration certificates, license plates, and
567 | validation stickers generally.—

568 | (1)

569 | (b)1. Registration license plates bearing a graphic symbol
570 | and the alphanumeric system of identification shall be issued
571 | for a 10-year period. At the end of the 10-year period, upon
572 | renewal, the plate shall be replaced. The department shall
573 | extend the scheduled license plate replacement date from a 6-
574 | year period to a 10-year period. The fee for such replacement is
575 | \$28, \$2.80 of which shall be paid each year before the plate is

576 replaced, to be credited toward the next \$28 replacement fee.
 577 The fees shall be deposited into the Highway Safety Operating
 578 Trust Fund. A credit or refund may not be given for any prior
 579 years' payments of the prorated replacement fee if the plate is
 580 replaced or surrendered before the end of the 10-year period,
 581 except that a credit may be given if a registrant is required by
 582 the department to replace a license plate under s.
 583 320.08056(8) (a). With each license plate, a validation sticker
 584 shall be issued showing the owner's birth month, license plate
 585 number, and the year of expiration or the appropriate renewal
 586 period if the owner is not a natural person. The validation
 587 sticker shall be placed on the upper right corner of the license
 588 plate. The license plate and validation sticker shall be issued
 589 based on the applicant's appropriate renewal period. The
 590 registration period is 12 months, the extended registration
 591 period is 24 months, and all expirations occur based on the
 592 applicant's appropriate registration period. Rental vehicles
 593 taxed pursuant to s. 320.08(6) (a) and rental trucks taxed
 594 pursuant to s. 320.08(3) (a), (b), and (c) and (4) (a)-(d) may
 595 elect a permanent registration period, provided payment of the
 596 appropriate license taxes and fees occurs annually.

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

601 expires June 30, 2024.

602 3. Beginning July 1, 2024, a vehicle registered in
603 accordance with the International Registration Plan must be
604 issued a license plate for a 3-year period. At the end of the 3-
605 year period, upon renewal, the license plate must be replaced.
606 Each license plate must include a validation sticker showing the
607 month of expiration. A cab card denoting the declared gross
608 vehicle weight for each apportioned jurisdiction must be issued
609 annually. The fee for an original or a renewal cab card is \$28,
610 which must be deposited into the Highway Safety Operating Trust
611 Fund. If the license plate is damaged or worn, it may be
612 replaced at no charge by applying to the department and
613 surrendering the current license plate.

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

618 (3)(a) Registration license plates must be made of metal
619 specially treated with a retroreflection material, as specified
620 by the department. The registration license plate is designed to
621 increase nighttime visibility and legibility and must be at
622 least 6 inches wide and not less than 12 inches in length,
623 unless a plate with reduced dimensions is deemed necessary by
624 the department to accommodate motorcycles, mopeds, ~~or~~ similar
625 smaller vehicles, or trailers. Validation stickers must also be

626 treated with a retroreflection material, must be of such size as
 627 specified by the department, and must adhere to the license
 628 plate. The registration license plate must be imprinted with a
 629 combination of bold letters and numerals or numerals, not to
 630 exceed seven digits, to identify the registration license plate
 631 number. The license plate must be imprinted with the word
 632 "Florida" at the top and the name of the county in which it is
 633 sold, the state motto, or the words "Sunshine State" at the
 634 bottom. Apportioned license plates must have the word
 635 "Apportioned" at the bottom, and license plates issued for
 636 vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or
 637 (c), or (14) must have the word "Restricted" at the bottom.
 638 License plates issued for vehicles taxed under s. 320.08(12)
 639 must be imprinted with the word "Florida" at the top and the
 640 word "Dealer" at the bottom unless the license plate is a
 641 specialty license plate as authorized in s. 320.08056.
 642 Manufacturer license plates issued for vehicles taxed under s.
 643 320.08(12) must be imprinted with the word "Florida" at the top
 644 and the word "Manufacturer" at the bottom. License plates issued
 645 for vehicles taxed under s. 320.08(5)(d) or (e) must be
 646 imprinted with the word "Wrecker" at the bottom. Any county may,
 647 upon majority vote of the county commission, elect to have the
 648 county name removed from the license plates sold in that county.
 649 The state motto or the words "Sunshine State" shall be printed
 650 in lieu thereof. A license plate issued for a vehicle taxed

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

655 Section 12. Subsections (58) and (95) of section
 656 320.08058, Florida Statutes, are amended to read:

657 320.08058 Specialty license plates.—

658 (58) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

659 (a) The department shall develop a Protect Florida Springs
 660 license plate as provided in this section. The word "Florida"
 661 must appear at the top of the plate, and the words "Protect
 662 Florida Springs" must appear at the bottom of the plate.

663 (b) The annual use fees shall be distributed to the
 664 Wildlife Foundation of Florida, Inc., a citizen support
 665 organization created pursuant to s. 379.223, which shall
 666 administer the fees as follows:

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

671 12. ~~Thereafter,~~ A maximum of 10 percent of the fees may
 672 be used for administrative costs directly associated with
 673 education programs, conservation, springs research, and grant
 674 administration of the foundation. A maximum of 15 percent of the
 675 fees may be used for continuing promotion and marketing of the

676 license plate.

677 23. At least 7555 percent of the fees shall be available
 678 for the conservation of Florida's freshwater springs, including
 679 scientific research, springs habitat restoration, springs
 680 protection, and public education on springs.~~competitive grants~~
 681 ~~for targeted community-based springs research not currently~~
 682 ~~available for state funding. The remaining 20 percent shall be~~
 683 ~~directed toward community outreach programs aimed at~~
 684 ~~implementing such research findings.~~ The majority of funds shall
 685 be awarded via competitive grants ~~shall be~~ administered and
 686 approved by the board of directors of the Fish & Wildlife
 687 Foundation of Florida, with input from a. ~~The~~ granting advisory
 688 committee ~~shall be~~ composed of nine members, including one
 689 representative from the Fish and Wildlife Conservation
 690 Commission, one representative from the Department of
 691 Environmental Protection, one representative from the Department
 692 of Health, one representative from the Department of Economic
 693 Opportunity, three citizen representatives, and two
 694 representatives from nonprofit stakeholder groups.

695 ~~4. The remaining funds shall be distributed with the~~
 696 ~~approval of and accountability to the board of directors of the~~
 697 ~~Wildlife Foundation of Florida, and shall be used to support~~
 698 ~~activities contributing to education, outreach, and springs~~
 699 ~~conservation.~~

700 (95) AMERICAN EAGLE LICENSE PLATES.-

701 (a) The department shall develop an American Eagle license
702 plate as provided in this section and s. 320.08053. The plate
703 must bear the colors and design approved by the department. The
704 word "Florida" must appear at the top of the plate, and the
705 words "Protect the Eagle" ~~"In God We Trust"~~ must appear at the
706 bottom of the plate.

707 (b) The annual use fees from the sale of the plate shall
708 be distributed to the American Eagle Foundation for deposit in
709 the foundation's national endowment fund. Up to 10 percent of
710 the funds received may be used for administrative costs and
711 marketing of the plate. The American Eagle Foundation shall use
712 the remainder of the proceeds to fund public education programs,
713 rescue and care programs, and other conservation efforts in
714 Florida that benefit bald eagles.

715 Section 13. Subsection (1) of section 320.084, Florida
716 Statutes, is amended, and subsection (6) is added to that
717 section, to read:

718 320.084 Free motor vehicle license plate to certain
719 disabled veterans.—

720 (1) One free "DV" motor vehicle license number plate shall
721 be issued by the department for use on any motor vehicle owned
722 or leased by any disabled veteran who has been a resident of
723 this state continuously for the preceding 5 years or has
724 established a domicile in this state as provided by s.
725 222.17(1), (2), or (3), and who has been honorably discharged

726 from the United States Armed Forces, upon application,
 727 accompanied by proof that:

728 (a) A vehicle was initially acquired through financial
 729 assistance by the United States Department of Veterans Affairs
 730 or its predecessor specifically for the purchase of an
 731 automobile;

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

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

740 (6) (a) A disabled veteran who meets the requirements of
 741 subsection (1) may be issued, in lieu of the "DV" license plate,
 742 a military license plate for which he or she is eligible or a
 743 specialty license plate. A disabled veteran electing a military
 744 license plate or specialty license plate under this subsection
 745 must pay all applicable fees related to such license plate,
 746 except for fees otherwise waived under subsections (1) and (4).

747 (b) A military license plate or specialty license plate
 748 elected under this subsection:

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

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

753 Section 14. Subsections (16) through (48) of section
 754 322.01, Florida Statutes, are renumbered as subsections (17)
 755 through (49), respectively, subsection (5) and present
 756 subsections (37) and (41) of that section are amended, and a new
 757 subsection (16) is added to that section, to read:

758 322.01 Definitions.—As used in this chapter:

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

761 (16) "Downgrade" has the same meaning as provided in
 762 paragraph (4) of the definition of the term "CDL downgrade" in
 763 49 C.F.R. s. 383.5.

764 (38)~~(37)~~ "Revocation" means the termination of a
 765 licensee's privilege to drive but does not include a downgrade.

766 (42)~~(41)~~ "Suspension" means the temporary withdrawal of a
 767 licensee's privilege to drive a motor vehicle but does not
 768 include a downgrade.

769 Section 15. Subsection (2) of section 322.02, Florida
 770 Statutes, is amended to read:

771 322.02 Legislative intent; administration.—

772 (2) The Department of Highway Safety and Motor Vehicles is
 773 charged with the administration and function of enforcement of
 774 the provisions of this chapter and the enforcement and
 775 administration of 49 C.F.R. parts 382-386 and 390-397.

776 Section 16. Subsections (4) through (12) of section
 777 322.05, Florida Statutes, are renumbered as subsections (5)
 778 through (13), respectively, and a new subsection (4) is added to
 779 that section to read:

780 322.05 Persons not to be licensed.—The department may not
 781 issue a license:

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

785 Section 17. Subsection (3) of section 322.07, Florida
 786 Statutes, is amended to read:

787 322.07 Instruction permits and temporary licenses.—

788 (3) Any person who, except for his or her lack of
 789 instruction in operating a commercial motor vehicle, would
 790 otherwise be qualified to obtain a commercial driver license
 791 under this chapter, may apply for a temporary commercial
 792 instruction permit. The department shall issue such a permit
 793 entitling the applicant, while having the permit in his or her
 794 immediate possession, to drive a commercial motor vehicle on the
 795 highways, if:

796 (a) The applicant possesses a valid Florida driver
 797 license; ~~and~~

798 (b) The applicant, while operating a commercial motor
 799 vehicle, is accompanied by a licensed driver who is 21 years of
 800 age or older, who is licensed to operate the class of vehicle

801 being operated, and who is occupying the closest seat to the
 802 right of the driver; and

803 (c) The department has not been notified that, pursuant to
 804 49 C.F.R. s. 382.501(a), the applicant is prohibited from
 805 operating a commercial motor vehicle.

806 Section 18. Effective January 1, 2024, subsection (3) of
 807 section 322.141, Florida Statutes, is amended to read:

808 322.141 Color or markings of certain licenses or
 809 identification cards.—

810 (3) All licenses for the operation of motor vehicles or
 811 identification cards originally issued or reissued by the
 812 department to persons who are designated as sexual predators
 813 under s. 775.21 or subject to registration as sexual offenders
 814 under s. 943.0435 or s. 944.607, or who have a similar
 815 designation or are subject to a similar registration under the
 816 laws of another jurisdiction, shall have printed in the color
 817 red all information otherwise required to be printed on the
 818 front of the license or identification card, as well as the
 819 following:

820 (a) For a person designated as a sexual predator under s.
 821 775.21 or who has a similar designation under the laws of
 822 another jurisdiction, the marking "SEXUAL PREDATOR."

823 (b) For a person subject to registration as a sexual
 824 offender under s. 943.0435 or s. 944.607, or subject to a
 825 similar registration under the laws of another jurisdiction, the

826 marking "943.0435, F.S."

827 Section 19. Paragraphs (m) and (n) of subsection (4) of
 828 section 322.142, Florida Statutes, are amended, and paragraphs
 829 (o) and (p) are added to that subsection, to read:

830 322.142 Color photographic or digital imaged licenses.—

831 (4) The department may maintain a film negative or print
 832 file. The department shall maintain a record of the digital
 833 image and signature of the licensees, together with other data
 834 required by the department for identification and retrieval.
 835 Reproductions from the file or digital record are exempt from
 836 the provisions of s. 119.07(1) and may be made and issued only:

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

839 1. A justice or judge of this state;

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

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

848 (n) To the Agency for Health Care Administration pursuant
 849 to an interagency agreement to prevent health care fraud. If the
 850 Agency for Health Care Administration enters into an agreement

851 with a private entity to carry out duties relating to health
852 care fraud prevention, such contracts shall include, but need
853 not be limited to:

854 1. Provisions requiring internal controls and audit
855 processes to identify access, use, and unauthorized access of
856 information.

857 2. A requirement to report unauthorized access or use to
858 the Agency for Health Care Administration within 1 business day
859 after the discovery of the unauthorized access or use.

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

862 (o) To any criminal justice agency, as defined in s.
863 943.045, pursuant to an interagency agreement for use in
864 carrying out the criminal justice agency's functions; or

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

868 Section 20. Subsection (8) and paragraph (a) of subsection
869 (9) of section 322.21, Florida Statutes, are amended to read:

870 322.21 License fees; procedure for handling and collecting
871 fees.—

872 (8) A person who applies for reinstatement following the
873 suspension or revocation of the person's driver license must pay
874 a service fee of \$45 following a suspension, and \$75 following a
875 revocation, which is in addition to the fee for a license. A

876 person who applies for reinstatement of a commercial driver
 877 license following the disqualification or downgrade of the
 878 person's privilege to operate a commercial motor vehicle shall
 879 pay a service fee of \$75, which is in addition to the fee for a
 880 license. The department shall collect all of these fees at the
 881 time of reinstatement. The department shall issue proper
 882 receipts for such fees and shall promptly transmit all funds
 883 received by it as follows:

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

886 1. If the reinstatement is processed by the department,
 887 the department shall deposit \$15 in the General Revenue Fund and
 888 \$30 in the Highway Safety Operating Trust Fund.

889 2. If the reinstatement is processed by the tax collector,
 890 \$15, less the general revenue service charge set forth in s.
 891 215.20(1), shall be retained by the tax collector, \$15 shall be
 892 deposited into the Highway Safety Operating Trust Fund, and \$15
 893 shall be deposited into the General Revenue Fund.

894 (b) Of the \$75 fee received from a licensee for
 895 reinstatement following a revocation, ~~or~~ disqualification, or
 896 downgrade:

897 1. If the reinstatement is processed by the department,
 898 the department shall deposit \$35 in the General Revenue Fund and
 899 \$40 in the Highway Safety Operating Trust Fund.

900 2. If the reinstatement is processed by the tax collector,

901 \$20, less the general revenue service charge set forth in s.
 902 215.20(1), shall be retained by the tax collector, \$20 shall be
 903 deposited into the Highway Safety Operating Trust Fund, and \$35
 904 shall be deposited into the General Revenue Fund.

905
 906 If the revocation or suspension of the driver license was for a
 907 violation of s. 316.193, or for refusal to submit to a lawful
 908 breath, blood, or urine test, an additional fee of \$130 must be
 909 charged. However, only one \$130 fee may be collected from one
 910 person convicted of violations arising out of the same incident.

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

915 If the revocation or suspension of the driver license was for a
 916 conviction for a violation of s. 817.234(8) or (9) or s.
 917 817.505, an additional fee of \$180 is imposed for each offense.
 918 The department shall collect and deposit the additional fee into
 919 the Highway Safety Operating Trust Fund at the time of
 920 reinstatement of the person's driver license.

921 (9) An applicant:

922 (a) Requesting a review authorized in s. 322.222, s.
 923 322.2615, s. 322.2616, s. 322.27, s. 322.591, or s. 322.64 must
 924 pay a filing fee of \$25 to be deposited into the Highway Safety
 925 Operating Trust Fund.

926 Section 21. Section 322.591, Florida Statutes, is created
 927 to read:

928 322.591 Commercial driver license and commercial
 929 instruction permit; Commercial Driver's License Drug and Alcohol
 930 Clearinghouse; prohibition on issuance of commercial driver
 931 licenses; downgrades.-

932 (1) Beginning November 18, 2024, when a person applies for
 933 or seeks to renew, transfer, or make any other change to a
 934 commercial driver license or commercial instruction permit, the
 935 department must obtain the driver's record from the Commercial
 936 Driver's License Drug and Alcohol Clearinghouse established
 937 pursuant to 49 C.F.R. part 382. The department may not issue,
 938 renew, transfer, or revise the types of authorized vehicles that
 939 may be operated or the endorsements applicable to a commercial
 940 driver license or commercial instruction permit for any person
 941 for whom the department receives notification that, pursuant to
 942 49 C.F.R. s. 382.501(a), the person is prohibited from operating
 943 a commercial vehicle.

944 (2) Beginning November 18, 2024, the department shall
 945 downgrade the commercial driver license or commercial
 946 instruction permit of any driver if the department receives
 947 notification that, pursuant to 49 C.F.R. s. 382.501(a), the
 948 driver is prohibited from operating a commercial motor vehicle.
 949 Any such downgrade must be completed and recorded by the
 950 department in the Commercial Driver's License Information System

951 within 60 days after the department's receipt of such
952 notification.

953 (3)(a) Beginning November 18, 2024, upon receipt of
954 notification that, pursuant to 49 C.F.R. s. 382.501(a), a driver
955 is prohibited from operating a commercial motor vehicle, the
956 department shall immediately notify the driver who is the
957 subject of such notification that he or she is prohibited from
958 operating a commercial motor vehicle and, upon his or her
959 request, must afford him or her an opportunity for an informal
960 hearing pursuant to this section. The department's notice must
961 be provided to the driver in the same manner as, and providing
962 such notice has the same effect as, notices provided pursuant to
963 s. 322.251(1) and (2).

964 (b) Such informal hearing must be requested not later than
965 20 days after the driver receives the notice of the downgrade.
966 If a request for a hearing, together with the filing fee
967 required pursuant to s. 322.21, is not received within 20 days
968 after receipt of such notice, the department must enter a final
969 order directing the downgrade of the driver's commercial driver
970 license or commercial instruction permit unless the department
971 receives notification that, pursuant to 49 C.F.R. s. 382.503(a),
972 the driver is no longer prohibited from operating a commercial
973 motor vehicle.

974 (c) A hearing requested pursuant to paragraph (b) must be
975 scheduled and held not later than 30 days after receipt by the

976 department of a request for the hearing, together with the
977 filing fee required pursuant to s. 322.21. The submission of a
978 request for hearing pursuant to this subsection tolls the
979 deadline to file a petition for writ of certiorari pursuant to
980 s. 322.31 until after the department enters a final order after
981 a hearing pursuant to this subsection.

982 (d) The informal hearing authorized pursuant to this
983 subsection is exempt from chapter 120. Such hearing must be
984 conducted before a hearing officer designated by the department.
985 The hearing officer may conduct such hearing from any location
986 in this state by means of communications technology.

987 (e) The notification received by the department pursuant
988 to 49 C.F.R. s. 382.501(a) must be in the record for
989 consideration by the hearing officer and in any proceeding
990 pursuant to s. 322.31 and is considered self-authenticating. The
991 basis for the notification received by the department pursuant
992 to 49 C.F.R. s. 382.501(a) and the information in the Commercial
993 Driver's License Drug and Alcohol Clearinghouse which resulted
994 in such notification are not subject to challenge in the hearing
995 or in any proceeding brought under s. 322.31.

996 (f) If, before the entry of a final order arising from a
997 notification received by the department pursuant to 49 C.F.R. s.
998 382.501(a), the department receives notification that, pursuant
999 to 49 C.F.R. s. 382.503(a), the driver is no longer prohibited
1000 from operating a commercial motor vehicle, the department must

1001 dismiss the action to downgrade the driver's commercial driver
1002 license or commercial instruction permit.

1003 (g) Upon the entry of a final order that results in the
1004 downgrade of a driver's commercial driver license or commercial
1005 instruction permit, the department shall record immediately in
1006 the driver's record that the driver is disqualified from
1007 operating or driving a commercial motor vehicle. The downgrade
1008 of a commercial driver license or commercial instruction permit
1009 pursuant to a final order entered pursuant to this section, and,
1010 upon the entry of a final order, the recording in the driver's
1011 record that the driver subject to such a final order is
1012 disqualified from operating or driving a commercial motor
1013 vehicle, are not stayed during the pendency of any proceeding
1014 pursuant to s. 322.31.

1015 (h) If, after the entry of a final order that results in
1016 the downgrade of a driver's commercial driver license or
1017 commercial instruction permit and the department's recording in
1018 the driver's record that the driver is disqualified from
1019 operating or driving a commercial motor vehicle, the department
1020 receives notification that, pursuant to 49 C.F.R. s. 382.503(a),
1021 the driver is no longer prohibited from operating a commercial
1022 motor vehicle, the department must reinstate the driver's
1023 commercial driver license or commercial instruction permit upon
1024 application by such driver.

1025 (i) The department is not liable for any commercial driver

1026 license or commercial instruction permit downgrade resulting
 1027 from the discharge of its duties.

1028 (j) This section is the exclusive procedure for the
 1029 downgrade of a commercial driver license or commercial
 1030 instruction permit following notification received by the
 1031 department that, pursuant to 49 C.F.R. s. 382.501(a), a driver
 1032 is prohibited from operating a commercial motor vehicle.

1033 (k) The downgrade of a commercial driver license or
 1034 commercial instruction permit of a person pursuant to this
 1035 section does not preclude the suspension of the driving
 1036 privilege for that person pursuant to s. 322.2615 or the
 1037 disqualification of that person from operating a commercial
 1038 motor vehicle pursuant to s. 322.64. The driving privilege of a
 1039 person whose commercial driver license or commercial instruction
 1040 permit has been downgraded pursuant to this section also may be
 1041 suspended for a violation of s. 316.193.

1042 (4) Beginning November 18, 2024, a driver for whom the
 1043 department receives notification that, pursuant to 49 C.F.R. s.
 1044 382.501(a), such person is prohibited from operating a
 1045 commercial motor vehicle may, if otherwise qualified, be issued
 1046 a Class E driver license pursuant to s. 322.251(4), valid for
 1047 the length of his or her unexpired license period, at no cost.

1048 Section 22. Subsection (2) of section 322.34, Florida
 1049 Statutes, is amended to read:

1050 322.34 Driving while license suspended, revoked, canceled,

1051 or disqualified.—

1052 (2) Any person whose driver license or driving privilege
1053 has been canceled, suspended, or revoked as provided by law, or
1054 who does not have a driver license or driving privilege but is
1055 under suspension or revocation equivalent status as defined in
1056 s. 322.01(43) ~~s. 322.01(42)~~, except persons defined in s.
1057 322.264, who, knowing of such cancellation, suspension,
1058 revocation, or suspension or revocation equivalent status,
1059 drives any motor vehicle upon the highways of this state while
1060 such license or privilege is canceled, suspended, or revoked, or
1061 while under suspension or revocation equivalent status, commits:

1062 (a) A misdemeanor of the second degree, punishable as
1063 provided in s. 775.082 or s. 775.083.

1064 (b)1. A misdemeanor of the first degree, punishable as
1065 provided in s. 775.082 or s. 775.083, upon a second or
1066 subsequent conviction, except as provided in paragraph (c).

1067 2. A person convicted of a third or subsequent conviction,
1068 except as provided in paragraph (c), must serve a minimum of 10
1069 days in jail.

1070 (c) A felony of the third degree, punishable as provided
1071 in s. 775.082, s. 775.083, or s. 775.084, upon a third or
1072 subsequent conviction if the current violation of this section
1073 or the most recent prior violation of the section is related to
1074 driving while license canceled, suspended, revoked, or
1075 suspension or revocation equivalent status resulting from a

- 1076 violation of:
- 1077 1. Driving under the influence;
 - 1078 2. Refusal to submit to a urine, breath-alcohol, or blood
 - 1079 alcohol test;
 - 1080 3. A traffic offense causing death or serious bodily
 - 1081 injury; or
 - 1082 4. Fleeing or eluding.

1083

1084 The element of knowledge is satisfied if the person has been

1085 previously cited as provided in subsection (1); or the person

1086 admits to knowledge of the cancellation, suspension, or

1087 revocation, or suspension or revocation equivalent status; or

1088 the person received notice as provided in subsection (4). There

1089 shall be a rebuttable presumption that the knowledge requirement

1090 is satisfied if a judgment or order as provided in subsection

1091 (4) appears in the department's records for any case except for

1092 one involving a suspension by the department for failure to pay

1093 a traffic fine or for a financial responsibility violation.

1094 Section 23. Subsection (4) of section 322.61, Florida

1095 Statutes, is amended to read:

1096 322.61 Disqualification from operating a commercial motor

1097 vehicle.—

1098 (4) Any person who is transporting hazardous materials as

1099 defined in s. 322.01(25) ~~s. 322.01(24)~~ shall, upon conviction of

1100 an offense specified in subsection (3), be disqualified from

1101 operating a commercial motor vehicle for a period of 3 years.
 1102 The penalty provided in this subsection shall be in addition to
 1103 any other applicable penalty.

1104 Section 24. Subsection (3) of section 324.0221, Florida
 1105 Statutes, is amended to read:

1106 324.0221 Reports by insurers to the department; suspension
 1107 of driver license and vehicle registrations; reinstatement.—

1108 (3) An operator or owner whose driver license or
 1109 registration has been suspended under this section or s. 316.646
 1110 may effect its reinstatement upon compliance with the
 1111 requirements of this section and upon payment to the department
 1112 of a nonrefundable reinstatement fee of \$150 for the first
 1113 reinstatement. The reinstatement fee is \$250 for the second
 1114 reinstatement and \$500 for each subsequent reinstatement during
 1115 the 3 years following the first reinstatement. A person
 1116 reinstating her or his insurance under this subsection must also
 1117 secure ~~noncancelable~~ coverage as described in ss. 324.021(8),
 1118 324.023, and 627.7275(2) and present to the appropriate person
 1119 proof that the coverage is in force on a form adopted by the
 1120 department, and such proof shall be maintained for 2 years. If
 1121 the person does not have a second reinstatement within 3 years
 1122 after her or his initial reinstatement, the reinstatement fee is
 1123 \$150 for the first reinstatement after that 3-year period. If a
 1124 person's license and registration are suspended under this
 1125 section or s. 316.646, only one reinstatement fee must be paid

1126 to reinstate the license and the registration. All fees shall be
 1127 collected by the department at the time of reinstatement. The
 1128 department shall issue proper receipts for such fees and shall
 1129 promptly deposit those fees in the Highway Safety Operating
 1130 Trust Fund. One-third of the fees collected under this
 1131 subsection shall be distributed from the Highway Safety
 1132 Operating Trust Fund to the local governmental entity or state
 1133 agency that employed the law enforcement officer seizing the
 1134 license plate pursuant to s. 324.201. The funds may be used by
 1135 the local governmental entity or state agency for any authorized
 1136 purpose.

1137 Section 25. Section 324.131, Florida Statutes, is amended
 1138 to read:

1139 324.131 Period of suspension.—Such license, registration
 1140 and nonresident's operating privilege shall remain so suspended
 1141 and shall not be renewed, nor shall any such license or
 1142 registration be thereafter issued in the name of such person,
 1143 including any such person not previously licensed, unless and
 1144 until every such judgment is stayed, satisfied in full or to the
 1145 extent of the limits stated in s. 324.021(7) and until the said
 1146 person gives proof of financial responsibility as provided in s.
 1147 324.031, such proof to be maintained for 3 years. In addition,
 1148 if the person's license or registration has been suspended or
 1149 revoked due to a violation of s. 316.193 or pursuant to s.
 1150 322.26(2), that person shall maintain ~~noncancelable~~ liability

1151 coverage for each motor vehicle registered in his or her name,
 1152 as described in s. 627.7275(2), and must present proof that
 1153 coverage is in force on a form adopted by the Department of
 1154 Highway Safety and Motor Vehicles, such proof to be maintained
 1155 for 3 years.

1156 Section 26. Paragraph (g) of subsection (3) of section
 1157 627.311, Florida Statutes, is amended to read:

1158 627.311 Joint underwriters and joint reinsurers; public
 1159 records and public meetings exemptions.—

1160 (3) The office may, after consultation with insurers
 1161 licensed to write automobile insurance in this state, approve a
 1162 joint underwriting plan for purposes of equitable apportionment
 1163 or sharing among insurers of automobile liability insurance and
 1164 other motor vehicle insurance, as an alternate to the plan
 1165 required in s. 627.351(1). All insurers authorized to write
 1166 automobile insurance in this state shall subscribe to the plan
 1167 and participate therein. The plan shall be subject to continuous
 1168 review by the office which may at any time disapprove the entire
 1169 plan or any part thereof if it determines that conditions have
 1170 changed since prior approval and that in view of the purposes of
 1171 the plan changes are warranted. Any disapproval by the office
 1172 shall be subject to the provisions of chapter 120. The Florida
 1173 Automobile Joint Underwriting Association is created under the
 1174 plan. The plan and the association:

1175 (g) Must make available ~~noncancelable~~ coverage as provided

1176 | in s. 627.7275(2).

1177 | Section 27. Subsection (1) of section 627.351, Florida
 1178 | Statutes, is amended to read:

1179 | 627.351 Insurance risk apportionment plans.—

1180 | (1) MOTOR VEHICLE INSURANCE RISK APPORTIONMENT.—Agreements
 1181 | may be made among casualty and surety insurers with respect to
 1182 | the equitable apportionment among them of insurance that ~~which~~
 1183 | may be afforded applicants who are in good faith entitled to,
 1184 | but are unable to, procure such insurance through ordinary
 1185 | methods, and such insurers may agree among themselves on the use
 1186 | of reasonable rate modifications for such insurance. Such
 1187 | agreements and rate modifications are ~~shall be~~ subject to the
 1188 | approval of the office. The office shall, after consultation
 1189 | with the insurers licensed to write automobile liability
 1190 | insurance in this state, adopt a reasonable plan or plans for
 1191 | the equitable apportionment among such insurers of applicants
 1192 | for such insurance who are in good faith entitled to, but are
 1193 | unable to, procure such insurance through ordinary methods, and,
 1194 | when such plan has been adopted, all such insurers shall
 1195 | subscribe to and participate in the plan thereto ~~and shall~~
 1196 | ~~participate therein~~. Such plan or plans shall include rules for
 1197 | classification of risks and rates therefor. The plan or plans
 1198 | shall make available ~~noncancelable~~ coverage as provided in s.
 1199 | 627.7275(2). Any insured placed with the plan must ~~shall~~ be
 1200 | notified of the fact that insurance coverage is being afforded

1201 through the plan and not through the private market, and such
 1202 notification must ~~shall~~ be given in writing within 10 days of
 1203 such placement. To assure that plan rates are made adequate to
 1204 pay claims and expenses, insurers shall develop a means of
 1205 obtaining loss and expense experience at least annually, and the
 1206 plan shall file such experience, when available, with the office
 1207 in sufficient detail to make a determination of rate adequacy.
 1208 Prior to the filing of such experience with the office, the plan
 1209 shall poll each member insurer as to the need for an actuary who
 1210 is a member of the Casualty Actuarial Society and who is not
 1211 affiliated with the plan's statistical agent to certify the
 1212 plan's rate adequacy. If a majority of those insurers responding
 1213 indicate a need for such certification, the plan must ~~shall~~
 1214 include the certification as part of its experience filing. Such
 1215 experience shall be filed with the office not more than 9 months
 1216 following the end of the annual statistical period under review,
 1217 together with a rate filing based on such ~~said~~ experience. The
 1218 office shall initiate proceedings to disapprove the rate and so
 1219 notify the plan or shall finalize its review within 60 days
 1220 after ~~of~~ receipt of the filing. Notification to the plan by the
 1221 office of its preliminary findings, which include a point of
 1222 entry to the plan pursuant to chapter 120, tolls ~~shall toll~~ the
 1223 60-day period during any such proceedings and subsequent
 1224 judicial review. The rate is ~~shall be~~ deemed approved if the
 1225 office does not issue notice to the plan of its preliminary

1226 findings within 60 days after ~~of~~ the filing. In addition to
 1227 provisions for claims and expenses, the ratemaking formula must
 1228 ~~shall~~ include a factor for projected claims trending and 5
 1229 percent for contingencies. The formula may not ~~In no instance~~
 1230 ~~shall the formula~~ include a renewal discount for plan insureds.
 1231 However, the plan shall reunderwrite each insured on an annual
 1232 basis, based upon all applicable rating factors approved by the
 1233 office. Trend factors may ~~shall~~ not be found to be inappropriate
 1234 if they are not in excess of trend factors normally used in the
 1235 development of residual market rates by the appropriate licensed
 1236 rating organization. Each application for coverage in the plan
 1237 must ~~shall~~ include, in boldfaced 12-point type immediately
 1238 preceding the applicant's signature, the following statement:

1240 "THIS INSURANCE IS BEING AFFORDED THROUGH THE FLORIDA
 1241 JOINT UNDERWRITING ASSOCIATION AND NOT THROUGH THE
 1242 PRIVATE MARKET. PLEASE BE ADVISED THAT COVERAGE WITH A
 1243 PRIVATE INSURER MAY BE AVAILABLE FROM ANOTHER AGENT AT
 1244 A LOWER COST. AGENT AND COMPANY LISTINGS ARE AVAILABLE
 1245 IN THE LOCAL YELLOW PAGES."

1246
 1247 The plan shall annually report to the office the number and
 1248 percentage of plan insureds who are not surcharged due to their
 1249 driving record.

1250 Section 28. Paragraph (b) of subsection (2) of section

1251 627.7275, Florida Statutes, is amended to read:

1252 627.7275 Motor vehicle liability.—

1253 (2)

1254 (b) The policies described in paragraph (a) shall be
 1255 issued for at least 6 months and, ~~as to the minimum coverages~~
 1256 ~~required under this section, may not be canceled by the insured~~
 1257 ~~for any reason or by the insurer after 60 days, during which~~
 1258 ~~period the insurer is completing the underwriting of the policy.~~
 1259 After the insurer has issued ~~completed underwriting~~ the policy,
 1260 the insurer shall notify the Department of Highway Safety and
 1261 Motor Vehicles that the policy is in full force and effect ~~and~~
 1262 ~~is not cancelable for the remainder of the policy period. A~~
 1263 ~~premium shall be collected and the coverage is in effect for the~~
 1264 ~~60-day period during which the insurer is completing the~~
 1265 ~~underwriting of the policy whether or not the person's driver~~
 1266 ~~license, motor vehicle tag, and motor vehicle registration are~~
 1267 ~~in effect. Once the noncancelable provisions of the policy~~
 1268 ~~becomes~~ ~~become~~ effective, the coverages for bodily injury,
 1269 property damage, and personal injury protection may not be
 1270 reduced below the minimum limits required under s. 324.021 or s.
 1271 324.023 during the policy period.

1272 Section 29. Except as otherwise expressly provided in this
 1273 act, this act shall take effect July 1, 2023.