

Committee Substitute for
Committee Substitute for Senate Bill No. 1778

An act relating to the Department of Highway Safety and Motor Vehicles; terminating the DUI Programs Coordination Trust Fund within the Department of Highway Safety and Motor Vehicles; amending ss. 17.61 and 215.20, F.S.; deleting references to the trust fund; amending s. 316.066, F.S.; increasing the fee for a copy of a crash report provided by a certified traffic records center; amending s. 318.15, F.S.; increasing the amount and revising the disposition of a service charge for reinstatement of a suspended driver's license; amending s. 319.23, F.S.; increasing the fee relating to an application for a certificate of title for a motor vehicle or motor home; amending s. 319.32, F.S.; increasing fees for certain certificates of title; providing a fee for certain subsequent vehicle examinations; specifying criteria for such examinations; providing a fee for shipping and handling paper titles; providing for disposition of the proceeds from the fees; amending ss. 319.323 and 319.324, F.S.; increasing the fee relating to expedited service on title transfers, title issuances, duplicate titles, recordation of liens, and certificates of repossession; amending s. 320.023, F.S.; requiring that any voluntary contribution on a motor vehicle registration application be deposited into and distributed from the Motor Vehicle License Clearing Trust Fund; amending s. 320.03, F.S.; increasing the amount and revising the disposition of a fee for the registration of a motor vehicle; amending s. 320.04, F.S.; increasing a service charge on applications for an original or duplicate issuance or the transfer of any license plate, mobile home sticker, or validation sticker or for transfer or duplicate issuance of any registration certificate; providing for disposition of the proceeds from the service charges; amending s. 320.06, F.S.; revising the time period for which a registration license plate and replacement plates may be issued; revising fees for such replacement plates; increasing the fee for motor vehicle registration; amending s. 320.0607, F.S.; increasing fees for license plates; amending s. 320.072, F.S.; increasing a fee imposed on the initial registration application for certain vehicles; providing for disposition of the proceeds from the fees; amending s. 320.08, F.S.; increasing the annual license taxes for the operation of certain vehicles; revising the disposition of those taxes; amending s. 320.0801, F.S.; increasing and revising the disposition of surcharges on specified vehicles; amending s. 320.0804, F.S.; increasing and revising the disposition of surcharges on specified vehicles; amending s. 320.08046, F.S.; increasing the surcharge levied on each license tax; amending s. 320.08048, F.S.; increasing the fee for sample license plates; amending s. 320.0805, F.S.; increasing the processing fee for personalized prestige license plates; amending s. 320.08056, F.S.; increasing the processing fee for specialty license plates; establishing an annual fee for the Autism license plate; amending s. 320.08058, F.S.; revising the distribution and authorized uses of

proceeds from use fees for the Florida Golf specialty license plate; providing for the establishment of the Florida Junior Golf Council; creating an Autism license plate; amending s. 320.081, F.S.; revising provisions relating to the distribution of annual license taxes imposed on mobile homes, park trailers, travel trailers, and fifth-wheel trailers exceeding 35 feet in body length; requiring that such distribution be made by payment by warrant drawn monthly by the Chief Financial Officer; amending s. 320.13, F.S.; authorizing a motor vehicle importer or distributor to secure a manufacturer's license plate; amending s. 320.203, F.S.; revising the disposition of revenue derived from the registration of motor vehicles; creating s. 320.204, F.S.; requiring that a specified sum from the funds collected under ch. 320, F.S., be transferred annually to the Transportation Disadvantaged Trust Fund; amending s. 320.642, F.S.; providing a fee and a service charge for publication and delivery of a notice given by certain licensed dealers; providing for disposition of moneys collected; amending s. 321.23, F.S.; increasing the cost of receiving a copy of a crash report from the Department of Highway Safety and Motor Vehicles; amending s. 322.051, F.S.; revising provisions relating to a fee for obtaining a duplicate identification card; amending s. 322.081, F.S.; requiring that any voluntary contribution on a driver's license application be deposited into and distributed from the Motor Vehicle License Clearing Trust Fund; amending s. 322.12, F.S.; increasing the fee for certain driver's license examinations; amending s. 322.135, F.S.; requiring driver's license agents to charge a service fee; limiting the circumstances under which the service fee is imposed; amending s. 322.20, F.S.; increasing fees for obtaining certain records from the Division of Driver Licenses; amending s. 322.201, F.S.; revising provisions relating to the certification of certain records as evidence; amending s. 322.21, F.S.; increasing commercial driver license fees; providing fees for persons requesting a review or a hearing and for the disposition of such fees; increasing the fees for the revocation or suspension of a driver's license or for refusing a breath, blood, or urine test; amending s. 322.2715, F.S.; requiring that an installer of a ignition interlock device collect and remit an installation fee to the department to be deposited into the Highway Safety Operating Trust Fund for the operation of the Ignition Interlock Device Program; amending s. 322.29, F.S.; increasing the fees for the return of a suspended license; amending s. 322.292, F.S.; prohibiting a private probation services provider from referring probationers to any DUI program owned in whole or in part by that probation services provider or its affiliates; requiring the department to adopt rules; amending s. 322.293, F.S., relating to the DUI Programs Coordination Trust Fund; conforming provisions to changes made by the act; providing effective dates.

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

Section 1. (1) The DUI Programs Coordination Trust Fund within the Department of Highway Safety and Motor Vehicles, FLAIR number 76-2-172, is terminated on July 1, 2009.

(2) All current balances remaining in, and all revenues of, the trust fund shall be transferred to the Highway Safety Operating Trust Fund within the Department of Highway Safety and Motor Vehicles, FLAIR number 76-2-009.

(3) The Department of Highway Safety and Motor Vehicles shall pay any outstanding debts and obligations of the terminated trust fund as soon as practicable. The Chief Financial Officer shall close out and remove the terminated fund from the various state accounting systems using generally accepted accounting principles concerning warrants outstanding, assets, and liabilities.

Section 2. Paragraph (c) of subsection (3) of section 17.61, Florida Statutes, is amended to read:

17.61 Chief Financial Officer; powers and duties in the investment of certain funds.—

(3)

(c) Except as provided in this paragraph and except for moneys described in paragraph (d), the following agencies ~~may~~ shall not invest trust fund moneys as provided in this section, but shall retain such moneys in their respective trust funds for investment, with interest appropriated to the General Revenue Fund, pursuant to s. 17.57:

1. The Agency for Health Care Administration, except for the Tobacco Settlement Trust Fund.

2. The Agency for Persons with Disabilities, except for:

a. The Federal Grants Trust Fund.

b. The Tobacco Settlement Trust Fund.

3. The Department of Children and Family Services, except for:

a. The Alcohol, Drug Abuse, and Mental Health Trust Fund.

b. The Social Services Block Grant Trust Fund.

c. The Tobacco Settlement Trust Fund.

d. The Working Capital Trust Fund.

4. The Department of Community Affairs, only for the Operating Trust Fund.

5. The Department of Corrections.

6. The Department of Elderly Affairs, except for:

a. The Federal Grants Trust Fund.

b. The Tobacco Settlement Trust Fund.

7. The Department of Health, except for:
 - a. The Federal Grants Trust Fund.
 - b. The Grants and Donations Trust Fund.
 - c. The Maternal and Child Health Block Grant Trust Fund.
 - d. The Tobacco Settlement Trust Fund.
8. The Department of Highway Safety and Motor Vehicles, only for:
 - ~~a. The DUI Programs Coordination Trust Fund.~~
 - b. the Security Deposits Trust Fund.
9. The Department of Juvenile Justice.
10. The Department of Law Enforcement.
11. The Department of Legal Affairs.
12. The Department of State, only for:
 - a. The Grants and Donations Trust Fund.
 - b. The Records Management Trust Fund.
13. The Executive Office of the Governor, only for:
 - a. The Economic Development Transportation Trust Fund.
 - b. The Economic Development Trust Fund.
14. The Florida Public Service Commission, only for the Florida Public Service Regulatory Trust Fund.
15. The Justice Administrative Commission.
16. The state courts system.

Section 3. Paragraphs (m) through (x) of subsection (4) of section 215.20, Florida Statutes, are amended to read:

215.20 Certain income and certain trust funds to contribute to the General Revenue Fund.—

(4) The income of a revenue nature deposited in the following described trust funds, by whatever name designated, is that from which the appropriations authorized by subsection (3) shall be made:

~~(m) Within the Department of Highway Safety and Motor Vehicles, the DUI Programs Coordination Trust Fund.~~

~~(m)~~(n) Within the Department of Legal Affairs, the Crimes Compensation Trust Fund.

~~(n)~~(o) Within the Department of Management Services:

1. The Administrative Trust Fund.
2. The Architects Incidental Trust Fund.
3. The Bureau of Aircraft Trust Fund.
4. The Florida Facilities Pool Working Capital Trust Fund.
5. The Grants and Donations Trust Fund.
6. The Police and Firefighters' Premium Tax Trust Fund.
7. The Public Employees Relations Commission Trust Fund.
8. The State Personnel System Trust Fund.
9. The Supervision Trust Fund.
10. The Working Capital Trust Fund.

~~(o)~~(p) Within the Department of Revenue:

1. The Additional Court Cost Clearing Trust Fund.
2. The Administrative Trust Fund.
3. The Certification Program Trust Fund.
4. The Fuel Tax Collection Trust Fund.
5. The Local Alternative Fuel User Fee Clearing Trust Fund.
6. The Local Option Fuel Tax Trust Fund.
7. The Motor Vehicle Rental Surcharge Clearing Trust Fund.
8. The Motor Vehicle Warranty Trust Fund.
9. The Oil and Gas Tax Trust Fund.
10. The Operations Trust Fund.
11. The Severance Tax Solid Mineral Trust Fund.
12. The State Alternative Fuel User Fee Clearing Trust Fund.
13. All taxes levied on motor fuels other than gasoline levied pursuant to ~~the provisions of s. 206.87(1)(a).~~

~~(p)~~(q) Within the Department of State:

1. The Records Management Trust Fund.
2. The trust funds administered by the Division of Historical Resources.

~~(q)~~(r) Within the Department of Transportation, all income derived from outdoor advertising and overweight violations which is deposited in the State Transportation Trust Fund.

~~(r)~~(s) Within the Department of Veterans' Affairs:

1. The Grants and Donations Trust Fund.
2. The Operations and Maintenance Trust Fund.
3. The State Homes for Veterans Trust Fund.

~~(s)~~(t) Within the Division of Administrative Hearings, the Administrative Trust Fund.

~~(t)~~(u) Within the Fish and Wildlife Conservation Commission:

1. The Conservation and Recreation Lands Program Trust Fund.
2. The Florida Panther Research and Management Trust Fund.
3. The Land Acquisition Trust Fund.
4. The Marine Resources Conservation Trust Fund, with the exception of those fees collected for recreational saltwater fishing licenses as provided in s. 379.354.

~~(u)~~(v) Within the Florida Public Service Commission, the Florida Public Service Regulatory Trust Fund.

~~(v)~~(w) Within the Justice Administrative Commission, the Indigent Criminal Defense Trust Fund.

~~(w)~~(x) Within the Office of Financial Regulation of the Financial Services Commission:

1. The Administrative Trust Fund.
2. The Anti-Fraud Trust Fund.
3. The Financial Institutions' Regulatory Trust Fund.
4. The Regulatory Trust Fund.

The enumeration of the foregoing moneys or trust funds shall not prohibit the applicability of s. 215.24 should the Governor determine that for the reasons mentioned in s. 215.24 the money or trust funds should be exempt herefrom, as it is the purpose of this law to exempt income from its force and effect when, by the operation of this law, federal matching funds or contributions or private grants to any trust fund would be lost to the state.

Section 4. Paragraph (c) of subsection (4) of section 316.066, Florida Statutes, is amended to read:

316.066 Written reports of crashes.—

(4)

(c) Fees for copies of public records provided by a certified traffic records center shall be charged and collected as follows:

For a crash report \$10 \$2 per copy.

For a homicide report \$25 per copy.

For a uniform traffic citation \$0.50 per copy.

The fees collected for copies of the public records provided by a certified traffic records center shall be used to fund the center or otherwise as designated by the county or counties participating in the center.

Section 5. Subsection (2) of section 318.15, Florida Statutes, is amended to read:

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

(2) After ~~the suspension of a person's~~ the driver's license and privilege to drive of a person under subsection (1), the license and privilege may not be reinstated until the person complies with all obligations and penalties imposed on him or her under s. 318.18 and presents to a driver license office a certificate of compliance issued by the court, together with a nonrefundable service charge of ~~\$60 up to \$47.50~~ imposed under s. 322.29, or presents a certificate of compliance and pays the ~~aforementioned~~ service charge of up to \$47.50 to the clerk of the court or a driver licensing agent authorized ~~under in~~ s. 322.135 clearing such suspension. Of the charge collected by the ~~clerk of the court or driver licensing agent~~, ~~\$22.50~~ \$10 shall be remitted to the Department of Revenue to be deposited into the Highway Safety Operating Trust Fund. Such person ~~must~~ shall also be in compliance with requirements of chapter 322 ~~before~~ prior to reinstatement.

Section 6. Subsection (6) of section 319.23, Florida Statutes, is amended to read:

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

(6) In the case of the sale of a motor vehicle or mobile home by a licensed dealer to a general purchaser, the certificate of title ~~must~~ shall be obtained in the name of the purchaser by the dealer upon application signed by the purchaser, and in each other case such certificate ~~must~~ shall be obtained by the purchaser. In each case of transfer of a motor vehicle or mobile home, the application for certificate of title, or corrected certificate, or assignment or reassignment, ~~must~~ shall be filed within 30 days from the delivery of ~~the~~ such motor vehicle or mobile home to the purchaser. An applicant ~~must~~ shall ~~be required to~~ pay a fee of \$20 \$10, in addition to all other fees and penalties required by law, for failing to file such application within the specified time. ~~If~~ When a licensed dealer acquires a motor vehicle or mobile home as a trade-in, the dealer must file with the department, within 30 days, a notice

of sale signed by the seller. The department shall update its database for that title record to indicate “sold.” A licensed dealer need not apply for a certificate of title for any motor vehicle or mobile home in stock acquired for stock purposes except as provided in s. 319.225.

Section 7. Subsections (1) of section 319.32, Florida Statutes, is amended to read:

319.32 Fees; service charges; disposition.—

(1) The department shall charge a fee of ~~\$70~~ \$24 for each original certificate of title, except for a certificate of title for a motor vehicle for hire registered under s. 320.08(6), for which the title fee shall be ~~\$49; \$3,~~ \$70 ~~\$24~~ for each duplicate copy of a certificate of title, except for a certificate of title for a motor vehicle for hire registered under s. 320.08(6), for which the title fee shall be ~~\$49; \$3,~~ \$2 for each salvage certificate of title, and \$3 for each assignment by a lienholder. The department ~~It~~ shall also charge a fee of \$2 for noting a lien on a title certificate, which fee includes ~~shall include~~ the services for the subsequent issuance of a corrected certificate or cancellation of lien when that lien is satisfied. If an application for a certificate of title is for a ~~rebuilt~~ vehicle that is required by s. 319.14(1)(b) to have a physical examination, the department shall charge an additional fee of \$40 for the initial examination and \$20 for each subsequent examination. The initial examination fee shall be deposited into the General Revenue Fund, and each subsequent examination fee shall be deposited into the Highway Safety Operating Trust Fund. The conducting a physical examination of the vehicle includes, but is not limited to, verification of the vehicle identification number and verification of the bill of sale or title for major components to assure its identity. In addition to all other fees charged, a sum of \$1 shall be paid for the issuance of an original or duplicate certificate of title to cover the cost of materials used for security purposes. A service fee of \$2.50, to be deposited into the Highway Safety Operating Trust Fund, shall be charged for shipping and handling for each paper title mailed by the department.

Section 8. Section 319.323, Florida Statutes, is amended to read:

319.323 Expedited service; applications; fees.—The department shall establish a separate title office which may be ~~used~~ utilized by private citizens and licensed motor vehicle dealers to receive expedited service on title transfers, title issuances, duplicate titles, and recordation of liens, and certificates of repossession. A fee of ~~\$10~~ \$7 shall be charged for this service, which fee is in addition to the fees imposed by s. 319.32. The fee, after deducting the amount referenced by s. 319.324 and \$3.50 to be retained by the processing agency, shall be deposited into the General Revenue Fund. Application for such expedited service may be made by mail or in person. The department shall issue each title applied for under pursuant to this section within 5 working days after receipt of the application except for an application for a duplicate title certificate covered by s. 319.23(4), in which case the title must be issued within 5 working days after compliance with the department’s verification requirements.

Section 9. Subsection (1) of section 319.324, Florida Statutes, is amended to read:

319.324 Odometer fraud prevention and detection; funding.—

(1) Moneys received by the department pursuant to s. 319.32(1) in the amount of \$1 for each original certificate of title, each duplicate copy of a certificate of title, and each assignment by a lienholder shall be deposited into the Highway Safety Operating Trust Fund. There shall also be deposited into the fund moneys received by the department pursuant to s. 319.323 in the amount of ~~\$5~~ \$2 for each expedited service performed by the department for which a fee is assessed.

Section 10. Paragraph (c) of subsection (5) of section 320.023, Florida Statutes, is amended to read:

320.023 Requests to establish voluntary checkoff on motor vehicle registration application.—

(5) A voluntary contribution collected and distributed under this chapter, or any interest earned from those contributions, may not be used for commercial or for-profit activities or ~~nor~~ for general or administrative expenses, except as authorized by law.

(c) Any voluntary contributions authorized by law shall be deposited into and distributed from the Motor Vehicle License Clearing Trust Fund to the recipients specified in this chapter shall only be distributed to an organization under an appropriation by the Legislature.

Section 11. Subsection (5) of section 320.03, Florida Statutes, is amended to read:

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

(5) A fee of ~~\$1.25~~ 50 cents shall be charged, in addition to the fees required under s. 320.08, on every license registration sold to cover the costs of the Florida Real Time Vehicle Information System. The fees collected ~~hereunder~~ shall be distributed as follows: ~~75 cents~~ 25 cents into the Highway Safety Operating Trust Fund, which shall be used to fund the Florida Real Time Vehicle Information system and may be used to fund the general operations of the department, and ~~50~~ 25 cents into the Highway Safety Operating Trust Fund to be used exclusively to fund the ~~Florida Real Time Vehicle Information~~ system. The only use of this latter portion of the fee is shall be to fund the Florida Real Time Vehicle Information system equipment, software, personnel associated with the maintenance and programming of the system, and networks used in the offices of the county tax collectors as agents of the department and the ancillary technology necessary to integrate the ~~Florida Real Time Vehicle Information~~ system with other tax collection systems. The department shall administer this program upon consultation with the Florida Tax Collectors, Inc., to ensure that each county tax collector's office is ~~will be~~ technologically equipped and functional for the operation of the Florida Real Time Vehicle Information System. Any of the designated revenue collected to support functions of the county tax collectors and not used in a given year must ~~will~~ remain exclusively in the trust fund as a carryover to the following year.

Section 12. Subsection (1) of section 320.04, Florida Statutes, is amended to read:

320.04 Registration service charge.—

(1)(a) There shall be a service charge of ~~\$5~~ \$2.50 for each application which is handled in connection with original issuance, duplicate issuance, or transfer of any license plate, mobile home sticker, or validation sticker or with transfer or duplicate issuance of any registration certificate. Of that amount, \$2.50 shall be deposited into the General Revenue Fund, and the remainder shall be retained by the department or by the tax collector, as the case may be, as other fees accruing to those offices.

(b) There ~~shall~~ may also be a service charge of ~~\$3 up to \$1~~ for the issuance of each license plate validation sticker, vessel decal, and mobile home sticker issued from an automated vending facility or printer dispenser machine, which ~~is shall be payable to and retained by~~ the department. Of that amount, \$1 shall be used to provide for automated vending facilities or printer dispenser machines used to dispense such stickers and decals for each tax collector's or license tag agent's employee. The remaining \$2 shall be deposited into the General Revenue Fund.

(c)(b) ~~The In addition to the fees provided in paragraph (a), any tax collector may impose an additional service charge of not more than 50 cents on any transaction specified in paragraph (a) or paragraph (b), or on any transaction specified in s. 319.32(2)(a) or s. 328.48 if when such transaction occurs at any tax collector's branch office.~~

(c) ~~The service charges prescribed by paragraphs (a) and (b) shall be collected from the applicant as compensation for all services rendered in connection with the handling of the application. Such fees shall be retained by the department or by the tax collector, as the case may be, as other fees accruing to those offices.~~

Section 13. Paragraph (b) of subsection (1) and subsection (3) of section 320.06, Florida Statutes, as amended by section 2 of chapter 2009-14, Laws of Florida, are amended to read:

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

(1)

(b) Registration license plates bearing a graphic symbol and the alphanumeric system of identification shall be issued for a 10-year ~~6-year~~ period. At the end of that 10-year ~~6-year~~ period, upon renewal, the plate shall be replaced. The department shall ~~extend~~ stagger the scheduled implementation of the 6-year license plate replacement date from a 6-year period to a 10-year period cycle. The fee for such replacement is ~~\$28~~ \$12, ~~\$2.80~~ \$2 of which shall be paid each year before the plate is replaced, to be credited towards the next ~~\$28~~ \$12 replacement fee. The fees shall be deposited into the Highway Safety Operating Trust Fund. A credit or refund ~~may~~ shall not be given for any prior years' payments of such prorated replacement fee if

the plate is replaced or surrendered before the end of the 10-year 6-year period, except that a credit may be given ~~if when~~ a registrant is required by the department to replace a license plate under s. 320.08056(8)(a). With each license plate, ~~there shall be issued~~ a validation sticker shall be issued showing the owner's birth month, license plate number, and the year of expiration or the appropriate renewal period if the owner is not a natural person. The validation sticker shall be placed on the upper right corner of the license plate. Such license plate and validation sticker shall be issued based on the applicant's appropriate renewal period. The registration period is ~~a period of 12 months~~, the extended registration period is ~~a period of 24 months~~, and all expirations shall occur based on the applicant's appropriate registration period. A vehicle with an apportioned registration shall be issued an annual license plate and a cab card that denote the declared gross vehicle weight for each apportioned jurisdiction in which the vehicle is authorized to operate.

(3)(a) Registration license plates must shall be made of metal specially treated with a retroreflection retroreflective material, as specified by the department. The registration license plate is designed to increase nighttime visibility and legibility and must shall be at least 6 inches wide and not less than 12 inches in length, unless a plate with reduced dimensions is deemed necessary by the department to accommodate motorcycles, mopeds, or similar smaller vehicles. Validation stickers must also shall be treated with a retroreflection retroreflective material, must shall be of such size as specified by the department, and must shall adhere to the license plate. The registration license plate must shall be imprinted with a combination of bold letters and numerals or numerals, not to exceed seven digits, to identify the registration license plate number. The license plate must shall also be imprinted with the word "Florida" at the top and the name of the county in which it is sold, the state motto, or the words "Sunshine State" at the bottom. Apportioned license plates must shall have the word "Apportioned" at the bottom and license plates issued for vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must shall have the word "Restricted" at the bottom. License plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word "Florida" at the top and the word "Dealer" at the bottom. Manufacturer license plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word "Florida" at the top and the word "Manufacturer" at the bottom. License plates issued for vehicles taxed under s. 320.08(5)(d) or (e) must be imprinted with the word "Wrecker" at the bottom. Any county may, upon majority vote of the county commission, elect to have the county name removed from the license plates sold in that county. The state motto or the words "Sunshine State" shall be printed in lieu thereof. A license plate issued for a vehicle taxed under s. 320.08(6) may not be assigned a registration license number, or be issued with any other distinctive character or designation, that distinguishes the motor vehicle as a for-hire motor vehicle.

(b) An additional fee of \$1.50 50 cents shall be collected and deposited ~~into the Highway Safety Operating Trust Fund~~ on each motor vehicle registration or motor vehicle renewal registration issued in this state in order ~~for~~ for ~~that~~ all license plates and validation stickers to be fully treated with retroreflection retroreflective material. Of that amount, \$1 shall be deposited into

the General Revenue Fund and 50 cents shall be deposited into the Highway Safety Operating Trust Fund.

Section 14. Subsections (3) and (5) of section 320.0607, Florida Statutes, are amended to read:

320.0607 Replacement license plates, validation decal, or mobile home sticker.—

(3) Except as provided in subsection (2), ~~in all such cases,~~ upon filing of an application accompanied by a fee of ~~\$28~~ \$10 plus applicable service charges, the department shall issue a replacement plate, sticker, or decal, as applicable, as the case may be if it is satisfied that the information reported in the application is true. The replacement fee shall be deposited into the Highway Safety Operating Trust Fund.

(5) Upon the issuance of an original license plate, the applicant shall pay a fee of ~~\$28~~ \$10 to be deposited in the Highway Safety Operating Trust Fund.

Section 15. Subsections (1) and (4) of section 320.072, Florida Statutes, are amended to read:

320.072 Additional fee imposed on certain motor vehicle registration transactions.—

(1) A fee of ~~\$225~~ \$100 is imposed upon the initial application for registration pursuant to s. 320.06 of every motor vehicle classified in s. 320.08(2), (3), and (9)(c) and

(d).

(4) A tax collector or other ~~duly~~ authorized agent of the department shall promptly remit ~~44.5 percent~~ of all moneys collected pursuant to this section, less any refunds granted pursuant to subsection (3), to the department to be deposited into the State Transportation Trust Fund. The remaining 55.5 percent shall be deposited into the General Revenue Fund.

Section 16. Paragraphs (a), (b), and (d) of subsection (1) and subsections (2) through (9) and (12) through (15) of section 320.08, Florida Statutes, are amended to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles as defined in s. 316.003(2), and mobile homes, as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(1) MOTORCYCLES AND MOPEDS.—

(a) Any motorcycle: ~~\$13.50~~ \$10 flat, of which \$3.50 shall be deposited into the General Revenue Fund.

(b) Any moped: ~~\$6.75~~ \$5 flat, of which \$1.75 shall be deposited into the General Revenue Fund.

(d) An ancient or antique motorcycle: ~~\$13.50~~ \$10 flat, of which \$3.50 shall be deposited into the General Revenue Fund.

(2) AUTOMOBILES FOR PRIVATE USE.—

(a) An ancient or antique automobile, as defined in s. 320.086, or a street rod, as defined in s. 320.0863: ~~\$10.25~~ \$7.50 flat, of which \$2.75 shall be deposited into the General Revenue Fund.

(b) Net weight of less than 2,500 pounds: ~~\$19.50~~ \$14.50 flat, of which \$5 shall be deposited into the General Revenue Fund.

(c) Net weight of 2,500 pounds or more, but less than 3,500 pounds: ~~\$30.50~~ \$22.50 flat, of which \$8 shall be deposited into the General Revenue Fund.

(d) Net weight of 3,500 pounds or more: ~~\$44~~ \$32.50 flat, of which \$11.50 shall be deposited into the General Revenue Fund.

(3) TRUCKS.—

(a) Net weight of less than 2,000 pounds: ~~\$19.50~~ \$14.50 flat, of which \$5 shall be deposited into the General Revenue Fund.

(b) Net weight of 2,000 pounds or more, but not more than 3,000 pounds: ~~\$30.50~~ \$22.50 flat, of which \$8 shall be deposited into the General Revenue Fund.

(c) Net weight more than 3,000 pounds, but not more than 5,000 pounds: ~~\$44~~ \$32.50 flat, of which \$11.50 shall be deposited into the General Revenue Fund.

(d) A truck defined as a “goat,” or any other vehicle if ~~when~~ used in the field by a farmer or in the woods for the purpose of harvesting a crop, including naval stores, during such harvesting operations, and which is not principally operated upon the roads of the state: ~~\$10.25~~ \$7.50 flat, of which \$2.75 shall be deposited into the General Revenue Fund. A “goat” is a motor vehicle designed, constructed, and used principally for the transportation of citrus fruit within citrus groves or for the transportation of crops on farms, and which can also be used for the hauling of associated equipment or supplies, including required sanitary equipment, and the towing of farm trailers.

(e) An ancient or antique truck, as defined in s. 320.086: ~~\$10.25~~ \$7.50 flat, of which \$2.75 shall be deposited into the General Revenue Fund.

(4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS VEHICLE WEIGHT.—

(a) Gross vehicle weight of 5,001 pounds or more, but less than 6,000 pounds: ~~\$60.75~~ \$45 flat, of which \$15.75 shall be deposited into the General Revenue Fund.

(b) Gross vehicle weight of 6,000 pounds or more, but less than 8,000 pounds: \$87.75 ~~\$65~~ flat, of which \$22.75 shall be deposited into the General Revenue Fund.

(c) Gross vehicle weight of 8,000 pounds or more, but less than 10,000 pounds: \$103 ~~\$76~~ flat, of which \$27 shall be deposited into the General Revenue Fund.

(d) Gross vehicle weight of 10,000 pounds or more, but less than 15,000 pounds: \$118 ~~\$87~~ flat, of which \$31 shall be deposited into the General Revenue Fund.

(e) Gross vehicle weight of 15,000 pounds or more, but less than 20,000 pounds: \$177 ~~\$131~~ flat, of which \$46 shall be deposited into the General Revenue Fund.

(f) Gross vehicle weight of 20,000 pounds or more, but less than 26,001 pounds: \$251 ~~\$186~~ flat, of which \$65 shall be deposited into the General Revenue Fund.

(g) Gross vehicle weight of 26,001 pounds or more, but less than 35,000: \$324 ~~\$240~~ flat, of which \$84 shall be deposited into the General Revenue Fund.

(h) Gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds: \$405 ~~\$300~~ flat, of which \$105 shall be deposited into the General Revenue Fund.

(i) Gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds: \$773 ~~\$572~~ flat, of which \$201 shall be deposited into the General Revenue Fund.

(j) Gross vehicle weight of 55,000 pounds or more, but less than 62,000 pounds: \$916 ~~\$678~~ flat, of which \$238 shall be deposited into the General Revenue Fund.

(k) Gross vehicle weight of 62,000 pounds or more, but less than 72,000 pounds: \$1,080 ~~\$800~~ flat, of which \$280 shall be deposited into the General Revenue Fund.

(l) Gross vehicle weight of 72,000 pounds or more: \$1,322 ~~\$979~~ flat, of which \$343 shall be deposited into the General Revenue Fund.

(m) Notwithstanding the declared gross vehicle weight, a truck tractor used within a 150-mile radius of its home address ~~is shall be~~ eligible for a license plate for a fee of \$324 ~~\$240~~ flat if:

1. The truck tractor is used exclusively for hauling forestry products; or
2. The truck tractor is used primarily for the hauling of forestry products, and is also used for the hauling of associated forestry harvesting equipment used by the owner of the truck tractor.

Of the fee imposed by this paragraph, \$84 shall be deposited into the General Revenue Fund.

(n) A truck tractor or heavy truck, not operated as a for-hire vehicle, which is engaged exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products within a 150-mile radius of its home address, is shall be eligible for a restricted license plate for a fee of: \$65 flat,

1. If such vehicle's declared gross vehicle weight is less than 44,000 pounds, 87.75 flat, of which \$22.75 shall be deposited into the General Revenue Fund.; or \$240 flat,

2. If such vehicle's declared gross vehicle weight is 44,000 pounds or more and such vehicle only transports:

1. from the point of production to the point of primary manufacture;
2. From the point of production to the point of assembling the same; or
3. From the point of production to a shipping point of either a rail, water, or motor transportation company, \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

Such not-for-hire truck tractors and heavy trucks used exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products may be incidentally used to haul farm implements and fertilizers when delivered direct to the growers. The department may require any such documentation deemed necessary to determine eligibility prior to issuance of this license plate. For the purpose of this paragraph, "not-for-hire" means the owner of the motor vehicle must also be the owner of the raw, unprocessed, and nonmanufactured agricultural or horticultural product, or the user of the farm implements and fertilizer being delivered.

(5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT; SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

(a)1. A semitrailer drawn by a GVW truck tractor by means of a fifth-wheel arrangement: \$13.50 \$10 flat per registration year or any part thereof, of which \$3.50 shall be deposited into the General Revenue Fund.

2. A semitrailer drawn by a GVW truck tractor by means of a fifth-wheel arrangement: \$68 \$50 flat per permanent registration, of which \$18 shall be deposited into the General Revenue Fund.

(b) A motor vehicle equipped with machinery and designed for the exclusive purpose of well drilling, excavation, construction, spraying, or similar activity, and which is not designed or used to transport loads other than the machinery described above over public roads: \$44 \$32.50 flat, of which \$11.50 shall be deposited into the General Revenue Fund.

(c) A school bus used exclusively to transport pupils to and from school or school or church activities or functions within their own county: \$41 \$30 flat, of which \$11 shall be deposited into the General Revenue Fund.

(d) A wrecker, as defined in s. 320.01(40), which is used to tow a vessel as defined in s. 327.02(39), a disabled, abandoned, stolen-recovered, or impounded motor vehicle as defined in s. 320.01(38), or a replacement motor vehicle as defined in s. 320.01(39): \$41 \$30 flat, of which \$11 shall be deposited into the General Revenue Fund.

(e) A wrecker ~~that, as defined in s. 320.01(40), which is used to tow any motor vehicle, regardless of whether or not such motor vehicle is a disabled motor vehicle as defined in s. 320.01(38), a replacement motor vehicle as defined in s. 320.01(39), a vessel as defined in s. 327.02(39), or any other cargo, as follows:~~

1. Gross vehicle weight of 10,000 pounds or more, but less than 15,000 pounds: \$118 \$87 flat, of which \$31 shall be deposited into the General Revenue Fund.

2. Gross vehicle weight of 15,000 pounds or more, but less than 20,000 pounds: \$177 \$131 flat, of which \$46 shall be deposited into the General Revenue Fund.

3. Gross vehicle weight of 20,000 pounds or more, but less than 26,000 pounds: \$251 \$186 flat, of which \$65 shall be deposited into the General Revenue Fund.

4. Gross vehicle weight of 26,000 pounds or more, but less than 35,000 pounds: \$324 \$240 flat, of which \$84 shall be deposited into the General Revenue Fund.

5. Gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds: \$405 \$300 flat, of which \$105 shall be deposited into the General Revenue Fund.

6. Gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds: \$772 \$572 flat, of which \$200 shall be deposited into the General Revenue Fund.

7. Gross vehicle weight of 55,000 pounds or more, but less than 62,000 pounds: \$915 \$678 flat, of which \$237 shall be deposited into the General Revenue Fund.

8. Gross vehicle weight of 62,000 pounds or more, but less than 72,000 pounds: \$1,080 \$800 flat, of which \$280 shall be deposited into the General Revenue Fund.

9. Gross vehicle weight of 72,000 pounds or more: \$1,322 \$979 flat, of which \$343 shall be deposited into the General Revenue Fund.

(f) A hearse or ambulance: \$40.50 \$30 flat, of which \$10.50 shall be deposited into the General Revenue Fund.

(6) MOTOR VEHICLES FOR HIRE.—

(a) Under nine passengers: \$17 \$12.50 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$1.50 \$1 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(b) Nine passengers and over: \$17 \$12.50 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(7) TRAILERS FOR PRIVATE USE.—

(a) Any trailer weighing 500 pounds or less: \$6.75 \$5 flat per year or any part thereof, of which \$1.75 shall be deposited into the General Revenue Fund.

(b) Net weight over 500 pounds: \$3.50 \$2.50 flat, of which \$1 shall be deposited into the General Revenue Fund; plus \$1 75 cents per cwt, of which 25 cents shall be deposited into the General Revenue Fund.

(8) TRAILERS FOR HIRE.—

(a) Net weight under 2,000 pounds: \$3.50 \$2.50 flat, of which \$1 shall be deposited into the General Revenue Fund; plus \$1.50 \$1 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(b) Net weight 2,000 pounds or more: \$13.50 \$10 flat, of which \$3.50 shall be deposited into the General Revenue Fund; plus \$1.50 \$1 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(9) RECREATIONAL VEHICLE-TYPE UNITS.—

(a) A travel trailer or fifth-wheel trailer, as defined by s. 320.01(1)(b), that does not exceed 35 feet in length: \$27 \$20 flat, of which \$7 shall be deposited into the General Revenue Fund.

(b) A camping trailer, as defined by s. 320.01(1)(b)2.: \$13.50 \$10 flat, of which \$3.50 shall be deposited into the General Revenue Fund.

(c) A motor home, as defined by s. 320.01(1)(b)4.:

1. Net weight of less than 4,500 pounds: \$27 \$20 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 \$35 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(d) A truck camper as defined by s. 320.01(1)(b)3.:

1. Net weight of less than 4,500 pounds: \$27 \$20 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 \$35 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(e) A private motor coach as defined by s. 320.01(1)(b)5.:

1. Net weight of less than 4,500 pounds: \$27 \$20 flat, of which \$7 shall be deposited into the General Revenue Fund.

2. Net weight of 4,500 pounds or more: \$47.25 \$35 flat, of which \$12.25 shall be deposited into the General Revenue Fund.

(12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised motor vehicle dealer, independent motor vehicle dealer, marine boat trailer dealer, or mobile home dealer and manufacturer license plate: \$17 \$12.50 flat, of which \$4.50 shall be deposited into the General Revenue Fund.

(13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or official license plate: \$4 \$3 flat, of which \$1 shall be deposited into the General Revenue Fund.

(14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor vehicle for hire operated wholly within a city or within 25 miles thereof: \$17 \$12.50 flat, of which \$4.50 shall be deposited into the General Revenue Fund; plus \$2 \$1.50 per cwt, of which 50 cents shall be deposited into the General Revenue Fund.

(15) TRANSPORTER.—Any transporter license plate issued to a transporter pursuant to s. 320.133: \$101.25 \$75 flat, of which \$26.25 shall be deposited into the General Revenue Fund.

Section 17. Subsection (2) of section 320.0801, Florida Statutes, is amended to read:

320.0801 Additional license tax on certain vehicles.—

(2) In addition to the license taxes imposed by s. 320.08 and by subsection (1), there is imposed an additional surcharge of \$10 \$5 on each commercial motor vehicle having a gross vehicle weight of 10,000 pounds or more, which surcharge must be paid to the department or its agent upon the registration or renewal of registration of the commercial motor vehicle. Notwithstanding the provisions of s. 320.20, 50 percent of the revenues collected from the surcharge imposed in this subsection shall ~~must~~ be deposited into the State Transportation Trust Fund and 50 percent shall be deposited in the General Revenue Fund.

Section 18. Section 320.0804, Florida Statutes, is amended to read:

320.0804 Surcharge on license tax; transportation trust fund.—There is hereby levied and imposed on each license tax imposed under s. 320.08, except those set forth in s. 320.08(11), a surcharge in the amount of \$4 \$2, which shall be collected in the same manner as the license tax. Of this amount, \$2 shall be and deposited into the State Transportation Trust Fund and \$2 shall be deposited into the General Revenue Fund. ~~This surcharge shall apply to registration periods beginning July 1, 1991.~~

Section 19. Section 320.08046, Florida Statutes, is amended to read:

320.08046 Surcharge on license tax; ~~General Revenue Fund.~~—There is levied on each license tax imposed under s. 320.08, except those set forth in s. 320.08(11), a surcharge in the amount of \$5.50 \$1, which shall be collected

in the same manner as the license tax. Of the proceeds of each ~~the~~ license tax surcharge, ~~\$4.50 58 percent~~ shall be deposited into the General Revenue Fund and ~~\$1 42 percent~~ shall be deposited into the Grants and Donations Trust Fund in the Department of Juvenile Justice to fund the juvenile crime prevention programs and the community juvenile justice partnership grants program.

Section 20. Subsection (1) of section 320.08048, Florida Statutes, is amended to read:

320.08048 Sample license plates.—

(1) The department is authorized, upon application and payment of a ~~\$10~~ \$28 fee per plate, to provide one or more sample regular issuance license plates or specialty license plates based upon availability.

Section 21. Subsection (2) of section 320.0805, Florida Statutes, as amended by section 4 of chapter 2009-14, Laws of Florida, is amended to read:

320.0805 Personalized prestige license plates.—

(2) Each request for specific numbers or letters or combinations thereof shall be submitted annually to the department on an application form supplied by the department, accompanied by the following tax and fees:

(a) The license tax required for the vehicle, as set forth in s. 320.08.

(b) A prestige plate annual use fee of \$10.

(c) A processing fee of ~~\$5~~ \$2, to be deposited into the Highway Safety Operating Trust Fund.

Section 22. Subsection (3) of section 320.08056, Florida Statutes, as amended by section 5 of chapter 2009-14, Laws of Florida, is amended, and paragraph (qqq) is added to subsection (4) of that section, to read:

320.08056 Specialty license plates.—

(3) Each request must be made annually to the department, accompanied by the following tax and fees:

(a) The license tax required for the vehicle as set forth in s. 320.08.

(b) A processing fee of ~~\$5~~ \$2, to be deposited into the Highway Safety Operating Trust Fund.

(c) A license plate fee as required by s. 320.06(1)(b).

(d) A license plate annual use fee as required in subsection (4).

A request may be made any time during a registration period. If a request is made for a specialty license plate to replace a current valid license plate, the specialty license plate must be issued with appropriate decals attached

at no tax for the plate, but all fees and service charges must be paid. ~~If~~ When a request is made for a specialty license plate at the beginning of the registration period, the tax, together with all applicable fees and service charges, must be paid.

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(qqq) Autism license plate, \$25.

Section 23. Subsection (35) of section 320.08058, Florida Statutes, is amended, and subsection (69) is added to that section, to read:

320.08058 Specialty license plates.—

(35) FLORIDA GOLF LICENSE PLATES.—

(a) The Department of Highway Safety and Motor Vehicles shall develop a Florida Golf license plate as provided in this section. The word “Florida” must appear at the bottom of the plate. The Dade Amateur Golf Association, following consultation with the PGA TOUR, the Florida Sports Foundation, the LPGA, and the PGA of America may submit a revised sample plate for consideration by the department.

(b) The department shall distribute the Florida Golf license plate annual use fee to the Dade Amateur Golf Association, a nonprofit organization under s. 501(c)(3) of the International Revenue Code ~~Florida Sports Foundation, a direct support organization of the Office of Tourism, Trade, and Economic Development.~~ The license plate annual use fees are to be annually allocated as follows:

1. Up to 10 ~~5~~ percent of the proceeds from the annual use fees may be used by the Dade Amateur Golf Association ~~Florida Sports Foundation~~ for the administration of the Florida Junior Youth Golf Program.

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

3. The remaining proceeds from the annual use fees shall be available for grants to nonprofit organizations to operate youth golf programs and for marketing the Florida Golf license plates. All grant recipients, ~~including the Dade Amateur Golf Association,~~ shall be required to provide to the Dade Amateur Golf Association ~~Florida Sports Foundation~~ an annual program and financial report regarding the use of grant funds. Such reports shall be made available to the public.

(c) ~~The Dade Amateur Golf Association shall Florida Sports Foundation~~ may establish a Florida Junior Youth Golf Council Program. The Florida Junior Youth Golf Council Program shall assist organizations for the benefit of youth, introduce young people to golf, instruct young people in golf, teach

the values of golf, and stress life skills, fair play, courtesy, and self-discipline.

(d) ~~The Dade Amateur Golf Association Florida Sports Foundation shall establish a seven-member Florida Junior Golf Council committee to offer advice regarding the distribution of the annual use fees for grants to non-profit organizations. The council advisory committee shall consist of one member from a group serving youth, one member from a group serving disabled youth, and five members at large.~~

(69) AUTISM LICENSE PLATES.—

(a) The department shall develop an Autism license plate as provided in this section. Autism license plates must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the words “Support Autism Programs” must appear at the bottom of the plate.

(b) The proceeds from the license plate annual use fee shall be distributed to Achievement and Rehabilitation Centers, Inc., to fund service programs for autism and related disabilities throughout the state and to operate and establish programs to support individuals with autism and related disabilities through direct services, evaluation, training, and awareness. Achievement and Rehabilitation Centers, Inc., shall establish an Autism Services Grant Council that shall provide grants from available Autism license plate proceeds to nonprofit organizations for direct services and programs for individuals with autism and related disabilities and their families. Consideration for participation in such services and programs shall be given to applicants who are children or adults with autism and related disabilities and their families and shall include those who are on the Agency for Persons with Disabilities waiting lists for services. Achievement and Rehabilitation Centers, Inc., shall also establish an Autism License Plate Fund. Moneys in the fund shall be used by the grant council as provided in this paragraph. All funds received under this subsection must be used in this state.

(c) Achievement and Rehabilitation Centers, Inc., may retain all proceeds from the annual use fee up to \$85,000 until all documented startup costs for developing and establishing the plate have been recovered. Thereafter, the proceeds from the annual use fee shall be used as follows:

1. Up to 10 percent of the proceeds may be used for the cost of administration, marketing, and promotion of the Autism License Plate Fund, the Autism Services Grant Council, and related matters, including annual audit and compliance affidavit costs.

2. Funds may be used as necessary for annual audit or compliance affidavit costs.

3. Thirty-five percent of the proceeds shall be used to establish and operate programs to support individuals with autism and related disabilities and their families through direct services, evaluation, training, and awareness in the state.

4. The Center for Autism and Related Disabilities at the University of Miami shall receive 15 percent of the proceeds for distribution, as determined appropriate by the director of that center, to the seven regional autism centers created under s. 1004.55. The regional centers shall use the proceeds to support the services they provide.

5. The remaining proceeds shall be available to the Autism Services Grant Council for grants to nonprofit organizations to operate direct services programs for individuals with autism and related disabilities and their families. All grant recipients, including Achievement and Rehabilitation Centers, Inc., and the Center for Autism and Related Disabilities, must provide to the Autism Services Grant Council an annual program and financial report regarding the use of grant funds. Such reports must be available to the public.

Section 24. Subsection (5) of section 320.081, Florida Statutes, is amended to read:

320.081 Collection and distribution of annual license tax imposed on the following type units.—

(5) The department shall keep records showing the total number of stickers issued to each type unit governed by this section, the total amount of license taxes collected, and the county or municipality where ~~city wherein~~ each such unit is located and shall from month to month certify to the Chief Financial Officer the amount derived from license taxes in each county and each municipality ~~city~~ within the county. Such amount, less the amount of \$1.50 collected on each license and the \$1 license tax surcharge imposed by s. 320.08015, shall be paid to the counties and municipalities ~~cities~~ within the counties ~~where~~ ~~wherein~~ the unit or units are located as follows: one-half to the district school board and the remainder ~~either~~ to the board of county commissioners, for units ~~that~~ ~~which~~ are located within the unincorporated areas of the county, or to any municipality ~~city~~ within such county, for units ~~that~~ ~~which~~ are located within its corporate limits. Payment shall be by warrant drawn monthly by the Chief Financial Officer upon the treasury, ~~which amount is hereby appropriated monthly~~ out of the License Tax Collection Trust Fund.

Section 25. Subsection (2) of section 320.13, Florida Statutes, is amended to read:

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

(2) A licensed manufacturer, importer, or distributor of motor vehicles may, upon payment of the license tax imposed by s. 320.08(12), secure one or more manufacturer license plates, which are valid for use on motor vehicles owned by the manufacturer, importer, or distributor to whom such plates are issued while the motor vehicles are in inventory and for sale, being operated for demonstration purposes, or in connection with the ~~such~~ manufacturer's business, but are not valid for use for hire.

Section 26. Subsection (1) of section 320.203, Florida Statutes, is amended to read:

320.203 Disposition of biennial license tax moneys.—

(1) Notwithstanding ss. 320.08(1), (2), (3), (4)(a) or (b), (6), (7), (8), (9), (10), or (11), 320.08058, and 328.76 and pursuant to s. 216.351, after the provisions of s. 320.20(1), (2), (3), ~~and (4)~~ and (5) are fulfilled, an amount equal to 50 percent of revenues collected from the biennial registrations created in s. 320.07 shall be retained in the Motor Vehicle License Clearing Trust Fund, authorized in s. 215.32(2)(b)2.f., until July 1. After July 1 of the subsequent fiscal year, an amount equal to 50 percent of revenues collected from the biennial registrations created in s. 320.07 shall be distributed according to ss. 320.08(1), (2), (3), (4)(a) or (b), (6), (7), (8), (9), (10), or (11), 320.08058, 328.76, and 320.20(1), (2), (3), ~~and (4), and (5)~~.

Section 27. Section 320.204, Florida Statutes, is created to read:

320.204 Transportation disadvantaged.—Of the funds collected in this chapter which are deposited into the Highway Safety Operating Trust Fund, beginning July 1, 2011, and annually thereafter, the department shall transfer \$5 million to the Transportation Disadvantaged Trust Fund in the Department of Transportation. These funds shall be transferred on a quarterly basis.

Section 28. Subsection (1) of section 320.642, Florida Statutes, is amended to read:

320.642 Dealer licenses in areas previously served; procedure.—

(1) Any licensee who proposes to establish an additional motor vehicle dealership or permit the relocation of an existing dealer to a location within a community or territory where the same line-make vehicle is presently represented by a franchised motor vehicle dealer or dealers shall give written notice of its intention to the department. Such notice must ~~shall~~ state:

(a) The specific location at which the additional or relocated motor vehicle dealership will be established.

(b) The date on or after which the licensee intends to be engaged in business with the additional or relocated motor vehicle dealer at the proposed location.

(c) The identity of all motor vehicle dealers who are franchised to sell the same line-make vehicle with licensed locations in the county or any contiguous county to the county where the additional or relocated motor vehicle dealer is proposed to be located.

(d) The names and addresses of the dealer-operator and principal investors in the proposed additional or relocated motor vehicle dealership.

Immediately upon receipt of such notice the department shall cause a notice to be published in the Florida Administrative Weekly. The published notice

must shall state that a petition or complaint by any dealer with standing to protest pursuant to subsection (3) must be filed within not more than 30 days following from the date of publication of the notice in the Florida Administrative Weekly. The published notice must shall describe and identify the proposed dealership sought to be licensed, and the department shall cause a copy of the notice to be mailed to those dealers identified in the licensee's notice under paragraph (c). The licensee shall pay a fee of \$75 and a service charge of \$2.50 for each publication. Proceeds from the fee and service charge shall be deposited into the Highway Safety Operating Trust Fund.

Section 29. Paragraph (a) of subsection (2) of section 321.23, Florida Statutes, is amended to read:

321.23 Public records; fees for copies; destruction of obsolete records; photographing records; effect as evidence.—

(2) Fees for copies of public records shall be charged and collected as follows:

(a) For a crash report, a copy \$10 ~~\$2~~

Section 30. Subsection (3) of section 322.051, Florida Statutes, is amended to read:

322.051 Identification cards.—

(3) If an identification card issued under this section is lost, destroyed, or mutilated or a new name is acquired, the person to whom it was issued may obtain a duplicate upon furnishing satisfactory proof of such fact to the department and upon payment of a fee as provided in s. 322.21 ~~of \$10 for such duplicate, \$2.50 of which shall be deposited into the General Revenue Fund and \$7.50 into the Highway Safety Operating Trust Fund.~~ The fee must shall include payment for the color photograph or digital image of the applicant. Any person who loses an identification card and who, after obtaining a duplicate, finds the original card shall immediately surrender the original card to the department. The same documentary evidence shall be furnished for a duplicate as for an original identification card.

Section 31. Paragraph (c) of subsection (5) of section 322.081, Florida Statutes, is amended to read:

322.081 Requests to establish voluntary check-off on driver's license application.—

(5) A voluntary contribution collected and distributed under this chapter, or any interest earned from those contributions, may not be used for commercial or for-profit activities nor for general or administrative expenses, except as authorized by law.

(c) Any voluntary contributions authorized by law shall be deposited into and distributed from the Motor Vehicle License Clearing Trust Fund to the recipients specified in this chapter shall only be distributed to an organization under an appropriation by the Legislature.

Section 32. Subsection (1) of section 322.12, Florida Statutes, is amended to read:

322.12 Examination of applicants.—

(1) It is the intent of the Legislature that every applicant for an original driver's license in this state be required to pass an examination pursuant to this section. However, the department may waive the knowledge, endorsement, and skills tests for an applicant who is otherwise qualified and who surrenders a valid driver's license from another state or a province of Canada, or a valid driver's license issued by the United States Armed Forces, if the driver applies for a Florida license of an equal or lesser classification. Any applicant who fails to pass the initial knowledge test ~~incurs will incur~~ a ~~\$10~~ \$5 fee for each subsequent test, to be deposited into the Highway Safety Operating Trust Fund. Any applicant who fails to pass the initial skills test ~~incurs will incur~~ a ~~\$20~~ \$10 fee for each subsequent test, to be deposited into the Highway Safety Operating Trust Fund. A person who seeks to retain a hazardous-materials endorsement, pursuant to s. 322.57(1)(d), must pass the hazardous-materials test, upon surrendering his or her commercial driver's license, if the person has not taken and passed the hazardous-materials test within 2 years ~~before applying preceding his or her application~~ for a commercial driver's license in this state.

Section 33. Paragraph (c) of subsection (1) of section 322.135, Florida Statutes, is amended to read:

322.135 Driver's license agents.—

(1) The department may, upon application, authorize any or all of the tax collectors in the several counties of the state, subject to the requirements of law, in accordance with rules of the department, to serve as its agent for the provision of specified driver's license services.

(c) ~~A service fee of \$6.25 shall \$5.25 is to be charged, in addition to the fees set forth in this chapter, for providing all services pursuant to this chapter any driver's license issued or renewed by a tax collector. The service fee may not be charged:~~

1. More than once per customer during a single visit to a tax collector's office.
2. For a reexamination requested by the Medical Advisory Board or required pursuant to s. 322.221.
3. For a voter-registration transaction.
4. For changes in an organ-donation registration.
5. In violation of any federal or state law.

Section 34. Paragraph (a) of subsection (11) of section 322.20, Florida Statutes, is amended to read:

322.20 Records of the department; fees; destruction of records.—

(11)(a) The department ~~may be authorized to~~ charge the following fees for the following services and documents:

- 1. For providing a transcript of any one individual’s driver history record or any portion thereof for the past 3 years or for searching for such record when no record is found ~~to be on file~~ ~~\$8~~ \$2.10
- 2. For providing a transcript of any one individual’s driver history record or any portion thereof for the past 7 years or for searching for such record when no record is found ~~to be on file~~ ~~\$10~~ \$3.10
- 3. For providing a certified copy of a transcript of the driver history record or any portion thereof for any one individual ~~\$10~~ \$3.10
- 4. For providing a certified photographic copy of a document, per page ~~\$1~~ \$1.00
- 5. For providing an exemplified record ~~\$15~~ \$15.00
- 6. For providing photocopies of documents, papers, letters, clearances, or license or insurance status reports, per page \$0.50
- 7. For assisting persons in searching any one individual’s driver record at a terminal located at the department’s general headquarters in Tallahassee ~~\$2~~ \$2.00

Section 35. Section 322.201, Florida Statutes, is amended to read:

322.201 Records as evidence.—A copy, computer copy, or transcript of all abstracts of crash reports and all abstracts of court records of convictions received by the department and the complete driving record of any individual ~~duly certified by machine imprint of the department or by machine imprint of the clerk of a court~~ shall be received as evidence in all courts of this state without further authentication, if provided the same is otherwise admissible in evidence. Further, any court or the office of the clerk of any court of this state which is electronically connected by a terminal device to the computer data center of the department may use as evidence in any case the information obtained by this device from the records of the department without need of such certification; however, if a genuine issue as to the authenticity of such information is raised by a party or by the court, the court ~~in its sound discretion~~ may require that a record certified by the department be submitted for admission into evidence. For ~~such~~ computer copies generated by a terminal device of a court or clerk of court, entry in a driver’s record that the notice required by s. 322.251 was given constitutes ~~shall constitute~~ sufficient evidence that such notice was given.

Section 36. Section 322.21, Florida Statutes, is amended to read:

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

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

(a) An original or renewal commercial driver's license is ~~\$75~~ \$67, which shall include the fee for driver education provided by s. 1003.48.; However, if an applicant has completed training and is applying for employment or is currently employed in a public or nonpublic school system that requires the commercial license, the fee ~~is shall be~~ the same as for a Class E driver's license. A delinquent fee of ~~\$15~~ \$1 shall be added for a renewal within ~~made not more than~~ 12 months after the license expiration date.

(b) An original Class E driver's license is ~~\$48~~ \$27, which ~~includes shall include~~ the fee for driver's education provided by s. 1003.48.; However, if an applicant has completed training and is applying for employment or is currently employed in a public or nonpublic school system that requires a commercial driver license, the fee ~~is shall be~~ the same as for a Class E license.

(c) The renewal or extension of a Class E driver's license or of a license restricted to motorcycle use only is ~~\$48~~ \$20, except that a delinquent fee of ~~\$15~~ \$1 shall be added for a renewal or extension made within ~~not more than~~ 12 months after the license expiration date. The fee provided in this paragraph includes ~~shall include~~ the fee for driver's education provided by s. 1003.48.

(d) An original driver's license restricted to motorcycle use only is ~~\$48~~ \$27, which includes ~~shall include~~ the fee for driver's education provided by s. 1003.48.

(e) A replacement driver's license issued pursuant to s. 322.17 is ~~\$25~~ \$10. Of this amount \$7 shall be deposited into the Highway Safety Operating Trust Fund and ~~\$18~~ \$3 shall be deposited into the General Revenue Fund.

(f) An original, renewal, or replacement identification card issued pursuant to s. 322.051 is ~~\$25~~ \$10. Funds collected from these fees shall be distributed as follows:

1. For an original identification card issued pursuant to s. 322.051 the fee ~~is \$25 shall be~~ \$10. This amount shall be deposited into the General Revenue Fund.

2. For a renewal identification card issued pursuant to s. 322.051 the fee ~~is \$25 shall be~~ \$10. Of this amount, \$6 shall be deposited into the Highway Safety Operating Trust Fund and ~~\$19~~ \$4 shall be deposited into the General Revenue Fund.

3. For a replacement identification card issued pursuant to s. 322.051 the fee ~~is \$25 shall be~~ \$10. Of this amount, \$9 shall be deposited into the Highway Safety Operating Trust Fund and ~~\$16~~ \$1 shall be deposited into the General Revenue Fund.

(g) Each endorsement required by s. 322.57 is \$7.

(h) A hazardous-materials endorsement, as required by s. 322.57(1)(d), shall be set by the department by rule and must ~~shall~~ reflect the cost of the required criminal history check, including the cost of the state and federal

fingerprint check, and the cost to the department of providing and issuing the license. The fee shall not exceed \$100. This fee shall be deposited in the Highway Safety Operating Trust Fund. The department may adopt rules to administer this section.

(2) It is the duty of the Director of the Division of Driver Licenses to set up a division in the department with the necessary personnel to perform the necessary clerical and routine work for the department in issuing and recording applications, licenses, and certificates of eligibility, including the receiving and accounting of all license funds and their payment into the State Treasury, and other incidental clerical work connected with the administration of this chapter. The department may ~~is authorized to~~ use such electronic, mechanical, or other devices as necessary to accomplish the purposes of this chapter.

(3) The department shall prepare sufficient forms for certificates of eligibility, applications, notices, and license materials to supply all applicants for driver's licenses and all renewal licenses.

(4) If the department determines from its records or is otherwise satisfied that the holder of a license about to expire is entitled to have it renewed, the department shall mail a renewal notice to the licensee ~~him or her~~ at his or her last known address, within not less than 30 days before ~~prior to~~ the licensee's birthday. The licensee shall be issued a renewal license, after reexamination, if required, during the 30 days immediately preceding his or her birthday upon presenting a renewal notice, his or her current license, and the fee for renewal to the department at any driver's license examining office.

(5) The department shall collect and transmit all fees received by it under this section to the Chief Financial Officer to be deposited into ~~placed in~~ the General Revenue Fund of the state, and sufficient funds for the necessary expenses of the department shall be included in the appropriations act. The fees shall be used for the maintenance and operation of the department.

(6) Any member of the Armed Forces or his or her spouse, daughter, son, stepdaughter, or stepson, who holds a Florida driver's license and who presents an affidavit showing that he or she was out of the state due to service in the Armed Forces of the United States at the time of license expiration is exempt from paying the delinquent fee, if the application for renewal is made within 15 months after the expiration of his or her license and within 90 days after the date of discharge or transfer to a military or naval establishment in this state as shown in the affidavit. However, such a person is not exempt from any reexamination requirement.

(7) Any veteran honorably discharged from the Armed Forces who has been issued a valid identification card by the Department of Veterans' Affairs in accordance with s. 295.17, ~~or~~ has been determined by the United States Department of Veterans Affairs or its predecessor to have a 100-percent total and permanent service-connected disability rating for compensation, or has been determined to have a service-connected total and permanent disability rating of 100 percent, ~~and~~ is in receipt of disability retirement

pay from any branch of the United States Armed Services, and who is qualified to obtain a driver's license under this chapter is exempt from all fees required by this section.

(8) Any person who applies for reinstatement following the suspension or revocation of the person's driver's license ~~must~~ shall pay a service fee of ~~\$45~~ \$35 following a suspension, and ~~\$75~~ \$60 following a revocation, which is in addition to the fee for a license. Any person who applies for reinstatement of a commercial driver's license following the disqualification of the person's privilege to operate a commercial motor vehicle shall pay a service fee of ~~\$75~~ \$60, which is in addition to the fee for a license. The department shall collect all of these fees at the time of reinstatement. The department shall issue proper receipts for such fees and shall promptly transmit all funds received by it as follows:

(a) Of the ~~\$45~~ \$35 fee received from a licensee for reinstatement following a suspension, the department shall deposit \$15 in the General Revenue Fund and ~~\$30~~ \$20 in the Highway Safety Operating Trust Fund.

(b) Of the ~~\$75~~ \$60 fee received from a licensee for reinstatement following a revocation or disqualification, the department shall deposit \$35 in the General Revenue Fund and ~~\$40~~ \$25 in the Highway Safety Operating Trust Fund.

(9) An applicant:

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

(b) Petitioning the department for a hearing authorized in s. 322.271 must pay a filing fee of \$12 to be deposited into the Highway Safety Operating Trust Fund.

If the revocation or suspension of the driver's license was for a violation of s. 316.193, or for refusal to submit to a lawful breath, blood, or urine test, an additional fee of ~~\$130~~ \$115 must be charged. However, only one ~~\$130~~ \$115 fee may be collected from one person convicted of violations arising out of the same incident. The department shall collect the ~~\$130~~ \$115 fee and deposit the fee into the Highway Safety Operating Trust Fund at the time of reinstatement of the person's driver's license, but the fee may not be collected if the suspension or revocation is overturned. If the revocation or suspension of the driver's license was for a conviction for a violation of s. 817.234(8) or (9) or s. 817.505, an additional fee of \$180 is imposed for each offense. The department shall collect and deposit the additional fee into the Highway Safety Operating Trust Fund at the time of reinstatement of the person's driver's license.

Section 37. Subsection (5) is added to section 322.2715, Florida Statutes, to read:

322.2715 Ignition interlock device.—

(5) In addition to any fees authorized by rule for the installation and maintenance of the ignition interlock device, the authorized installer of the device shall collect and remit \$12 for each installation to the department, which shall be deposited into the Highway Safety Operating Trust Fund to be used for the operation of the Ignition Interlock Device Program.

Section 38. Subsection (2) of section 322.29, Florida Statutes, is amended to read:

322.29 Surrender and return of license.—

~~(2) Notwithstanding the provisions of subsection (1) to the contrary notwithstanding, an~~ no examination is not required for the return of a license suspended under s. 318.15 or s. 322.245 unless an examination is otherwise required by this chapter. ~~A Every~~ person applying for the return of a license suspended under s. 318.15 or s. 322.245 must ~~shall~~ present to the department certification from the court that he or she has complied with all obligations and penalties imposed ~~on him or her~~ pursuant to s. 318.15 or, in the case of a suspension pursuant to s. 322.245, that he or she has complied with all directives of the court and the requirements of s. 322.245 and shall pay to the department a nonrefundable service fee of ~~\$60~~ \$47.50, of which ~~\$37.50~~ \$37.50 shall be deposited into the General Revenue Fund and ~~\$22.50~~ \$10 shall be deposited into the Highway Safety Operating Trust Fund. If reinstated by the clerk of the court or tax collector, ~~\$37.50~~ shall be retained and ~~\$22.50~~ \$10 shall be remitted to the Department of Revenue for deposit into the Highway Safety Operating Trust Fund. However, the service fee is not required if the person is required to pay a ~~\$45~~ \$35 fee or ~~\$75~~ \$60 fee under s. 322.21(8) ~~the provisions of s. 322.21.~~

Section 39. Subsection (5) is added to section 322.292, Florida Statutes, to read:

322.292 DUI programs supervision; powers and duties of the department.—

(5) A private probation services provider authorized under s. 948.15 may not refer probationers to any DUI program owned in whole or in part by that probation services provider or its affiliates. The department shall establish rules to administer this subsection.

Section 40. Section 322.293, Florida Statutes, is amended to read:

322.293 DUI programs ~~Coordination Trust Fund~~; assessment; disposition.—

(1) The DUI programs ~~Coordination Trust Fund~~ shall be administered by the department, and the costs of administration shall be borne by the collections of revenue provided in this section ~~the fund~~. All funds received by the department DUI Programs Coordination Trust Fund shall be used solely for the purposes set forth in this chapter and for the general operations of the department ~~section and s. 322.292~~. However, if the Legislature passes legislation consolidating existing trust funds assigned to the department, all funds remaining in and deposited to the DUI Programs Coordination Trust

Fund shall be transferred to the consolidated trust funds, subject to their being earmarked for use solely for the purposes set forth in this section and ~~s. 322.292.~~

(2) Each DUI program shall assess ~~\$15~~ \$12 against each person enrolling in a DUI program at the time of enrollment, including persons who transfer to or from a program in another state. In addition, second and third offenders and those offenders under permanent driver's-license revocation who are evaluated for ~~eligibility for license restrictions under s. 322.271(2)(b) and (4)~~ shall be assessed \$15 ~~\$12~~ upon enrollment in the program and upon each subsequent anniversary date while they are in the program, for the duration of the license period.

(3) All assessments collected under this section shall be ~~deposited into the Highway Safety Operating~~ forwarded to the DUI Programs Coordination Trust Fund within 30 days after the last day of the month in which the assessment was received.

Section 41. Except as otherwise expressly provided in this act and except for this section, which shall take effect July 1, 2009, this act shall take effect September 1, 2009.

Approved by the Governor May 27, 2009.

Filed in Office Secretary of State May 27, 2009.