

## CHAPTER 2024-272

### Committee Substitute for Committee Substitute for Senate Bill No. 736

An act relating to services provided by the Department of Highway Safety and Motor Vehicles or its agents; amending s. 319.28, F.S.; providing that a certain affidavit establishes a presumption of ownership and right of possession to a motor vehicle or mobile home when the previous owner of the motor vehicle or mobile home died testate; providing that the application for certificate of title does not need to be accompanied by a will or other testamentary instrument; amending s. 319.29, F.S.; prohibiting the department or a tax collector from charging a fee for reissuance of certain certificates of title; amending s. 320.03, F.S.; requiring tax collectors in specified political subdivisions to appoint a general lines agency as an agent for the tax collector for certain purposes upon petition by the agent in charge of the general lines agency; providing requirements for a general lines agency appointed as an agent for a tax collector; authorizing the department to adopt rules to administer this section; amending s. 320.06, F.S.; authorizing permanent registration of certain rental trucks; authorizing the department to deem a license plate with reduced dimensions to be necessary to accommodate trailers; amending s. 320.084, F.S.; authorizing certain disabled veterans to be issued a military license plate or specialty license plate in lieu of a “DV” license plate; requiring the veteran to pay all fees associated with the license plate; specifying applicable fees; providing applicability; amending s. 320.131, F.S.; authorizing the department to design, issue, and regulate the use of temporary tags when the existing owner of a vehicle has submitted an application to transfer a valid out-of-state title that is subject to a lien; authorizing the department to design, issue, and regulate the use of temporary tags when an active-duty military servicemember who has a valid Florida driver license provides evidence satisfactory to the department that he or she is deployed outside this state; providing the period of validity of such temporary tags; removing provisions requiring a written, notarized request for the purchase of a temporary tag; conforming provisions to changes made by the act; providing effective dates.

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

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

319.28 Transfer of ownership by operation of law.—

(1)

(c) If the previous owner died testate and the application for a certificate of title is made by, and accompanied by an affidavit attested by, a Florida-

licensed attorney in good standing with The Florida Bar, such affidavit shall, for purposes of paragraph (a), establish a presumption of ownership, absent information received to the contrary, and right of possession to the motor vehicle or mobile home, so long as the affidavit sets forth the rightful heir or heirs and the attorney attests in the affidavit that such heir or heirs are lawfully entitled to the rights of ownership and possession of the motor vehicle or mobile home. It is not necessary for the application for certificate of title filed under this paragraph to be accompanied by a copy of the will or other testamentary instrument.

Section 2. Subsection (3) of section 319.29, Florida Statutes, is amended to read:

319.29 Lost or destroyed certificates.—

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

Section 3. Effective July 1, 2025, subsection (11) is added to section 320.03, Florida Statutes, to read:

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

(11)(a) In political subdivisions with a population of 1.9 million or greater, pursuant to the 2020 census, upon petition by the agent in charge of a general lines agency licensed pursuant to chapter 626 and appointed to write motor vehicle insurance, the tax collector must appoint such agency as an agent for the tax collector for purposes of issuing registration certificates, registration license plates, validation stickers, and mobile home stickers to applicants, excluding issuance of registration or trip permits pursuant to s. 320.0715.

(b) A general lines agency appointed as an agent for a tax collector under this subsection:

1. Must provide a performance bond of \$2 million to the department;
2. Must provide audited financial statements, from a certified public accountant licensed to practice in this state, for each of the previous 2 years demonstrating that the agency has produced policy premiums in excess of \$500 million in each of the previous 2 years;
3. May not offer such services at more than five locations in each county where the agency has a branch office;

4. Is subject to all provisions of law as though such agent is a private tag agency or agent, except where the context clearly indicates otherwise.

(c) The department may adopt rules to administer this subsection, including, but not limited to, rules establishing information that must be contained in a petition to offer services under this subsection and information that must be contained in the audited financial statements and enforcement authority for noncompliance.

Section 4. Paragraph (b) of subsection (1) and paragraph (a) of subsection (3) of section 320.06, Florida Statutes, are amended to read:

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

(1)

(b)1. Registration license plates bearing a graphic symbol and the alphanumeric system of identification shall be issued for a 10-year period. At the end of the 10-year period, upon renewal, the plate shall be replaced. The department shall extend the scheduled license plate replacement date from a 6-year period to a 10-year period. The fee for such replacement is \$28, \$2.80 of which shall be paid each year before the plate is replaced, to be credited toward the next \$28 replacement fee. The fees shall be deposited into the Highway Safety Operating Trust Fund. A credit or refund may not be given for any prior years' payments of the prorated replacement fee if the plate is replaced or surrendered before the end of the 10-year period, except that a credit may be given if a registrant is required by the department to replace a license plate under s. 320.08056(8)(a). With each license plate, 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. The license plate and validation sticker shall be issued based on the applicant's appropriate renewal period. The registration period is 12 months, the extended registration period is 24 months, and all expirations occur based on the applicant's appropriate registration period. Rental vehicles taxed pursuant to s. 320.08(6)(a) and rental trucks taxed pursuant to s. 320.08(3)(a), (b), and (c) and (4)(a)-(d) may elect a permanent registration period, provided payment of the appropriate license taxes and fees occurs annually.

2. A vehicle that has 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. This subparagraph expires June 30, 2024.

3. Beginning July 1, 2024, a vehicle registered in accordance with the International Registration Plan must be issued a license plate for a 3-year period. At the end of the 3-year period, upon renewal, the license plate must be replaced. Each license plate must include a validation sticker showing the

month of expiration. A cab card denoting the declared gross vehicle weight for each apportioned jurisdiction must be issued annually. The fee for an original or a renewal cab card is \$28, which must be deposited into the Highway Safety Operating Trust Fund. If the license plate is damaged or worn, it may be replaced at no charge by applying to the department and surrendering the current license plate.

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

(3)(a) Registration license plates must be made of metal specially treated with a retroreflection material, as specified by the department. The registration license plate is designed to increase nighttime visibility and legibility and must 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, or trailers. Validation stickers must also be treated with a retroreflection material, must be of such size as specified by the department, and must adhere to the license plate. The registration license plate must 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 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 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 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 unless the license plate is a specialty license plate as authorized in s. 320.08056. 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.

Section 5. Subsection (1) of section 320.084, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

320.084 Free motor vehicle license plate to certain disabled veterans.

(1) One free “DV” motor vehicle license number plate shall be issued by the department for use on any motor vehicle owned or leased by any disabled

veteran who has been a resident of this state continuously for the preceding 5 years or has established a domicile in this state as provided by s. 222.17(1), (2), or (3), and who has been honorably discharged from the United States Armed Forces, upon application, accompanied by proof that:

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

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

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

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

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

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

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

Section 6. Subsection (2) of section 320.131, Florida Statutes, is amended, and paragraphs (m) and (n) are added to subsection (1) of that section, to read:

320.131 Temporary tags.—

(1) The department is authorized and empowered to design, issue, and regulate the use of temporary tags to be designated “temporary tags” for use in the following cases:

(m) When the existing owner of a vehicle has submitted an application to transfer a valid out-of-state title that is subject to a lien. A temporary tag issued for this purpose shall be valid for 60 days.

(n) When an active-duty military servicemember who has a valid Florida driver license provides evidence satisfactory to the department that he or she is deployed outside this state. A temporary tag issued for this purpose shall be valid for 60 days.

Further, the department is authorized to disallow the purchase of temporary tags by licensed dealers, common carriers, or financial institutions in those cases where abuse has occurred.

(2) The department ~~may~~ is authorized to sell temporary tags, in addition to those listed above, to ~~its~~ their agents and where need is demonstrated by a consumer complainant. The fee for a temporary tag issued under this section shall be \$2 each. One dollar from each tag sold shall be deposited into the Brain and Spinal Cord Injury Program Trust Fund, with the remaining proceeds being deposited into the Highway Safety Operating Trust Fund. Agents of the department shall sell temporary tags for \$2 each and shall charge the service charge authorized by s. 320.04 per transaction, regardless of the quantity sold. ~~Requests for purchase of temporary tags to the department or its agents shall be made, where applicable, on letterhead stationery and notarized.~~ Except as specifically provided otherwise, a temporary tag issued under this section shall be valid for 30 days, and no more than two shall be issued to the same person for the same vehicle.

Section 7. Except as otherwise expressly provided in this act, this act shall take effect July 1, 2024.

Approved by the Governor June 28, 2024.

Filed in Office Secretary of State June 28, 2024.