

CHAPTER 2025-125

Committee Substitute for Committee Substitute for House Bill No. 961

An act relating to the Department of Highway Safety and Motor Vehicles; creating s. 316.88, F.S.; prohibiting the sale of certain service appointments unless authorized in writing by specified entities; amending s. 319.24, F.S.; authorizing tax collectors to deliver by mail or make available at the tax collector's office certificates of title; amending s. 319.29, F.S.; providing that certain applications may be fulfilled by the tax collector acting as an authorized agent of the department; amending s. 320.031, F.S.; authorizing the department and tax collectors, as agents of the department, to deliver certain documents, including duplicate registration certificates, in person or by mail; amending s. 320.0848, F.S.; requiring the department to issue a lifetime disabled parking permit to certain permanently disabled persons; providing the validation period for such permits; requiring the department to renew certain disabled parking permits for a specified period without requiring certain documentation; requiring the validation sticker issued for lifetime disabled parking permits to indicate that the permits do not expire; authorizing a person who has been issued such a permit to provide a certificate of disability issued at any time in order to obtain a replacement for a lost or stolen permit; amending s. 322.02, F.S.; revising the year by which the Legislature intends that the transition of certain services to certain tax collectors be completed; removing a provision authorizing such transition of services to appointed charter county tax collectors on a limited basis; providing that the tax collector is, rather than may be, designated the exclusive agent of the department for a specified purpose; amending s. 322.12, F.S.; requiring certain driver license applicants to retake certain examinations; amending s. 322.135, F.S.; authorizing a tax collector to process certain transactions using the department's online license and registration portal; authorizing a tax collector to offer to a licensee or prospective licensee a certain donation option; removing a provision concerning driver license issuance being assumed by tax collectors by a certain date; amending s. 322.251, F.S.; authorizing the issuance of a Class E driver license to certain persons, if eligible; amending s. 322.271, F.S.; requiring the revocation of a restricted driving privilege for a specified period in certain circumstances; amending s. 322.66, F.S.; conforming a cross-reference; creating s. 683.337, F.S.; designating the week of April 14 of each year as "Move Over Awareness Week"; encouraging specified entities to sponsor events to promote public awareness of the dangers of failing to comply with the Move Over Act; providing an effective date.

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

Section 1. Section 316.88, Florida Statutes, is created to read:

316.88 Sale of appointments prohibited.—Unless authorized in writing by the department or a tax collector acting as an authorized agent of the department, a person may not sell, or offer to sell, a service appointment with a department office, or the office of a tax collector acting as an authorized agent of the department, for any service authorized by chapter 319, chapter 320, chapter 322, or chapter 328. A person who violates this section commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

Section 2. Subsection (2) of section 319.24, Florida Statutes, is amended to read:

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

(2) A duly authorized person shall sign the original certificate of title and each corrected certificate and, if there are no liens or encumbrances on the motor vehicle or mobile home, as shown in the records of the department or as shown in the application, must ~~shall~~ deliver the certificate to the applicant or to another person as directed by the applicant or person, agent, or attorney submitting such application. Tax collectors, as authorized agents of the department, may deliver original certificates of title and corrected certificates by mail or make such certificates available to applicants at tax collectors' offices. The motor vehicle dealer license number must be submitted to the department when a dealer applies for or receives a duplicate title. The current odometer reading must be submitted on an application for a duplicate title. If there are one or more liens or encumbrances on the motor vehicle or mobile home, the certificate must ~~shall~~ be delivered by the department to the first lienholder as shown by department records or to the owner as indicated in the notice of lien filed by the first lienholder pursuant to s. 319.27. If the notice of lien filed by the first lienholder indicates that the certificate should be delivered to the first lienholder, the department must ~~shall~~ deliver to the first lienholder, along with the certificate, a form to be subsequently used by the lienholder as a satisfaction. If the notice of lien filed by the first lienholder directs the certificate of title to be delivered to the owner, then, upon delivery of the certificate of title by the department to the owner, the department must ~~shall~~ deliver to the first lienholder confirmation of the receipt of the notice of lien and the date the certificate of title was issued to the owner at the owner's address shown on the notice of lien and a form to be subsequently used by the lienholder as a satisfaction. If the application for certificate shows the name of a first lienholder different from the name of the first lienholder as shown by the records of the department or if the application does not show the name of a judgment lienholder as shown by the records of the department, the certificate may ~~shall~~ not be issued to any person until after all parties who appear to hold a lien and the applicant for the certificate have been notified of the conflict in writing by the department by certified mail. If the parties do not amicably resolve the conflict within 10 days from the date such notice was mailed, ~~then~~ the department must ~~shall~~ serve notice in writing by certified mail on all persons appearing to hold liens on that particular vehicle, including the applicant for the certificate, to show cause within 15

days from the date the notice is mailed why it should not issue and deliver the certificate to the person indicated in the notice of lien filed by the lienholder whose name appears in the application as the first lienholder without showing any lien or liens as outstanding other than those appearing in the application or those which may have been filed subsequent to the filing of the application for the certificate. If, within the 15-day period, any person other than the lienholder shown in the application or a party filing a subsequent lien, in answer to such notice to show cause, appears in person or by a representative, or responds in writing, and files a written statement under oath that his or her lien on that particular vehicle is still outstanding, the department may ~~shall~~ not issue the certificate to anyone until after such conflict has been settled by the lien claimants involved or by a court of competent jurisdiction. If the conflict is not settled amicably within 10 days of the final date for filing an answer to the notice to show cause, the complaining party must ~~shall~~ have 10 days to obtain a ruling, or a stay order, from a court of competent jurisdiction; if no ruling or stay order is issued and served on the department within the 10-day period, it must ~~shall~~ issue the certificate showing no liens except those shown in the application or thereafter filed to the original applicant if there are no liens shown in the application and none are thereafter filed, or to the person indicated in the notice of lien filed by the lienholder whose name appears in the application as the first lienholder if there are liens shown in the application or thereafter filed. A duplicate certificate or corrected certificate may ~~shall~~ only show such lien or liens as were shown in the application and subsequently filed liens that may be outstanding.

Section 3. Present subsection (4) of section 319.29, Florida Statutes, is redesignated as subsection (5), and a new subsection (4) is added to that section, to read:

319.29 Lost or destroyed certificates.—

(4) An application for a duplicate copy of a certificate of title may be fulfilled by the tax collector acting as an authorized agent of the department. Upon the applicant's request, the duplicate copy may be issued by the tax collector and provided to the applicant at the tax collector's office or mailed by the tax collector to the applicant's address.

Section 4. Subsection (1) of section 320.031, Florida Statutes, is amended to read:

320.031 Mailing or delivery of registration certificates, license plates, and validation stickers.—

(1) The department and the tax collectors of the several counties of the state, as agents of the department, may at the request of the applicant deliver in person or use United States mail service to deliver registration certificates and renewals thereof, duplicate registration certificates, license plates, mobile home stickers, and validation stickers to applicants.

Section 5. Subsections (1) and (2) of section 320.0848, Florida Statutes, are amended to read:

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

(1)(a) The Department of Highway Safety and Motor Vehicles or its authorized agents shall, upon application and receipt of the fee;

1. Issue a disabled parking permit for a period of up to 4 years, which period ends on the applicant's birthday, to any person who has long-term mobility impairment;

2. ~~Issue, or~~ a temporary disabled parking permit for up to not to exceed 6 months to a any person who has a temporary mobility impairment; or

3. Issue a lifetime disabled parking permit to a person who is certified as permanently disabled due to permanent dismemberment or an amputation and is in need of the disabled parking permit due to that permanent dismemberment or amputation. A lifetime disabled parking permit is valid from the date of issuance until the person's death and is not subject to renewal under paragraph (d).

~~A No person is not~~ will be required to pay a fee for a parking permit for disabled persons more than once in a 12-month period from the date of the prior fee payment.

(b)1. The person must be currently certified as being legally blind or as having any of the following disabilities that render him or her unable to walk 200 feet without stopping to rest:

a. Inability to walk without the use of or assistance from a brace, cane, crutch, prosthetic device, or other assistive device, or without the assistance of another person. If the assistive device significantly restores the person's ability to walk to the extent that the person can walk without severe limitation, the person is not eligible for the exemption parking permit.

b. The need to permanently use a wheelchair.

c. Restriction by lung disease to the extent that the person's forced (respiratory) expiratory volume for 1 second, when measured by spirometry, is less than 1 liter, or the person's arterial oxygen is less than 60 mm/hg on room air at rest.

d. Use of portable oxygen.

e. Restriction by cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.

f. Severe limitation in the person's ability to walk due to an arthritic, neurological, or orthopedic condition.

2. The certification of disability which is required under subparagraph 1. must be provided by a physician licensed under chapter 458, chapter 459, or chapter 460, by a podiatric physician licensed under chapter 461, by an optometrist licensed under chapter 463, by an advanced practice registered nurse licensed under chapter 464 under the protocol of a licensed physician as stated in this subparagraph, by a physician assistant licensed under chapter 458 or chapter 459, or by a similarly licensed physician from another state if the application is accompanied by documentation of the physician's licensure in the other state and a form signed by the out-of-state physician verifying his or her knowledge of this state's eligibility guidelines.

(c) The certificate of disability must include, but need not be limited to:

1. The disability of the applicant; the certifying practitioner's name and address; the practitioner's certification number; the eligibility criteria for the permit; the penalty for falsification by either the certifying practitioner or the applicant; the duration of the condition that entitles the person to the permit; and justification for the additional placard pursuant to subsection (2).

2. The statement, in bold letters: "A disabled parking permit may be issued only for a medical necessity that severely affects mobility."

3. The signatures of:

a. The applicant's physician or other certifying practitioner.

b. The applicant or the applicant's parent or guardian.

c. The employee of the department's authorized agent which employee is processing the application.

(d) The department shall renew the disabled parking permit of ~~a any~~ person certified as permanently disabled on the ~~previous application for a subsequent 4-year period without requiring the person to provide another~~ certificate of disability or United States Department of Veterans Affairs Form Letter 27-333, or its equivalent, as applicable. After such 4-year period, the department shall renew the disabled parking permit if the person provides a certificate of disability issued within the last 12 months pursuant to this subsection. A veteran who has been previously evaluated and certified by the United States Department of Veterans Affairs or any branch of the United States Armed Forces as permanently and totally disabled from a service-connected disability may provide a United States Department of Veterans Affairs Form Letter 27-333, or its equivalent, issued within the last 12 months in lieu of a certificate of disability.

(e) The Department of Highway Safety and Motor Vehicles shall, in consultation with the Commission for the Transportation Disadvantaged,

adopt rules, in accordance with chapter 120, for the issuance of a disabled parking permit to any organization that can adequately demonstrate a bona fide need for such a permit because the organization provides regular transportation services to persons who have disabilities and are certified as provided in this subsection.

(2) DISABLED PARKING PERMIT; PERSONS WITH LONG-TERM MOBILITY PROBLEMS, PERMANENT DISMEMBERMENT, OR AMPUTATION.—

(a) The disabled parking permit is a placard that can be placed in a motor vehicle so as to be visible from the front and rear of the vehicle. Each side of the placard must have the international symbol of accessibility in a contrasting color in the center so as to be visible. One side of the placard must display the applicant's driver license number or state identification card number along with a warning that the applicant must have such identification at all times while using the parking permit. In those cases where the severity of the disability prevents a disabled person from physically visiting or being transported to a driver license or tax collector office to obtain a driver license or identification card, a certifying physician may sign the exemption section of the department's parking permit application to exempt the disabled person from being issued a driver license or identification card for the number to be displayed on the parking permit. A validation sticker must also be issued with each disabled parking permit, showing the month and year of expiration, or, in the case of a lifetime disabled parking permit, indicating that the permit does not expire, on each side of the placard. Validation stickers must be of the size specified by the Department of Highway Safety and Motor Vehicles and must be affixed to the disabled parking permits. The disabled parking permits must use the same colors as license plate validations.

(b) License plates issued under ss. 320.084, 320.0842, 320.0843, and 320.0845 are valid for the same parking privileges and other privileges provided under ss. 316.1955, 316.1964, and 526.141(5)(a).

(c) The department shall not issue an additional disabled parking permit unless the applicant states that he or she is a frequent traveler or a quadriplegic. The department may not issue to any one eligible applicant more than two disabled parking permits except to an organization in accordance with paragraph (1)(e). Subsections (1), (5), (6), and (7) apply to this subsection.

(d) To obtain a replacement for a disabled parking permit that has been lost or stolen, a person must submit an application on a form prescribed by the department, pay a replacement fee in the amount of \$1, to be retained by the issuing agency, and provide a certificate of disability issued within the last 12 months pursuant to subsection (1), except that: and pay a replacement fee in the amount of \$1, to be retained by the issuing agency.

1. If the person submits with the application a police report documenting that the permit was stolen, there is no replacement fee.

2. A veteran who has been previously evaluated and certified by the United States Department of Veterans Affairs or any branch of the United States Armed Forces as permanently and totally disabled from a service-connected disability may provide a United States Department of Veterans Affairs Form Letter 27-333, or its equivalent, issued within the last 12 months in lieu of a certificate of disability.

3. A person who has been issued a lifetime disabled parking permit under subparagraph (1)(a)3. may provide a certificate of disability issued at any time.

(e) A person who qualifies for a disabled parking permit under this section may be issued an international wheelchair user symbol license plate under s. 320.0843 in lieu of the disabled parking permit; or, if the person qualifies for a “DV” license plate under s. 320.084, such a license plate may be issued to him or her in lieu of a disabled parking permit.

Section 6. Subsections (1) and (5) of section 322.02, Florida Statutes, are amended to read:

322.02 Legislative intent; administration.—

(1) The Legislature finds that over the past several years the department and individual county tax collectors have entered into contracts for the delivery of full and limited driver license services where such contractual relationships best served the public interest through state administration and enforcement and local government implementation. It is the intent of the Legislature that the complete transition of all driver license issuance services to tax collectors who are constitutional officers under s. 1(d), Art. VIII of the State Constitution be completed no later than June 30, 2027 ~~2015~~. ~~The transition of services to appointed charter county tax collectors may occur on a limited basis as directed by the department.~~

(5) The tax collector in and for his or her county is ~~may be~~ designated the exclusive agent of the department to implement and administer ~~the provisions of this chapter as provided by s. 322.135.~~

Section 7. Subsections (3) and (4) of section 322.12, Florida Statutes, are amended to read:

322.12 Examination of applicants.—

(3)(a) ~~(3)~~ For an applicant for a Class E driver license, such examination must ~~shall~~ include all of the following:

1.(a) ~~1.~~ A test of the applicant’s eyesight given by the driver license examiner designated by the department or by a licensed ophthalmologist, optometrist, or physician.

2.(b) A test of the applicant's hearing given by a driver license examiner or a licensed physician.

3.(e) A test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic; his or her knowledge of the traffic laws of this state, including laws regulating driving under the influence of alcohol or controlled substances, driving with an unlawful blood-alcohol level, and driving while intoxicated; and his or her knowledge of the effects of alcohol and controlled substances upon persons and the dangers of driving a motor vehicle while under the influence of alcohol or controlled substances. At least 25 questions within the bank of test questions must address bicycle and pedestrian safety.

4.(d) An actual demonstration of ability to exercise ordinary and reasonable control in the operation of a motor vehicle.

(b) An applicant who is found to have cheated during, or to have otherwise circumvented, any portion of the examination must retake the examination.

(4)(a) The examination for an applicant for a commercial driver license must shall include all of the following:

1. A test of the applicant's eyesight given by a driver license examiner designated by the department or by a licensed ophthalmologist, optometrist, or physician, and

2. A test of the applicant's hearing given by a driver license examiner or a licensed physician.

3. ~~The examination shall also include~~ A test of the applicant's ability to read and understand highway signs regulating, warning, and directing traffic; his or her knowledge of the traffic laws of this state pertaining to the class of motor vehicle which he or she is applying to be licensed to operate, including laws regulating driving under the influence of alcohol or controlled substances, driving with an unlawful blood-alcohol level, and driving while intoxicated; his or her knowledge of the effects of alcohol and controlled substances and the dangers of driving a motor vehicle after having consumed alcohol or controlled substances; and his or her knowledge of any special skills, requirements, or precautions necessary for the safe operation of the class of vehicle which he or she is applying to be licensed to operate.

4. ~~In addition, the examination shall include~~ An actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the safe operation of a motor vehicle or combination of vehicles of the type covered by the license classification which the applicant is seeking, including an examination of the applicant's ability to perform an inspection of his or her vehicle.

~~(b)(a)~~ The portion of the examination required under subparagraph (a)4. ~~which tests an applicant's safe driving ability~~ shall be administered by the department or by an entity authorized by the department to administer such examination, pursuant to s. 322.56. Such examination shall be administered at a location approved by the department.

~~(c)(b)~~ A person who seeks to retain a hazardous-materials endorsement must, upon renewal, pass the test for such endorsement as specified in s. 322.57(1)(e), if the person has not taken and passed the hazardous-materials test within 2 years preceding his or her application for a commercial driver license in this state.

~~(d)~~ An applicant who is found to have cheated during, or to have otherwise circumvented, any portion of the examination must retake the examination.

Section 8. Subsections (6) and (7) of section 322.135, Florida Statutes, are renumbered as subsections (5) and (6), respectively, paragraph (a) of subsection (1) and present subsection (5) are amended, and paragraph (d) is added to subsection (1) of that section, to read:

322.135 Driver license agents.—

(1) The department shall, upon application, authorize by interagency agreement any or all of the tax collectors who are constitutional officers under s. 1(d), Art. VIII of the State Constitution 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 license services.

(a) These services shall be limited to the issuance of driver licenses and identification cards as authorized by this chapter, transactions for which may be processed by the tax collector using the department's online license and registration portal.

(d) A tax collector may offer a licensee or prospective licensee the option to increase the amount of his or her transaction to the next whole dollar amount in order to donate the amount of the increase to a charity registered with the Department of Agriculture and Consumer Services.

~~(5) All driver license issuance services shall be assumed by the tax collectors who are constitutional officers under s. 1(d), Art. VIII of the State Constitution by June 30, 2015. The implementation shall follow the schedule outlined in the transition report of February 1, 2011, which was required pursuant to chapter 2010-163, Laws of Florida.~~

Section 9. Subsection (4) of section 322.251, Florida Statutes, is amended to read:

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

(4) A person whose privilege to operate a commercial motor vehicle is temporarily disqualified may, upon surrendering his or her commercial driver license, be issued a Class E driver license, valid for the length of his or her unexpired commercial driver license, if eligible, at no cost. Such person may, upon the completion of his or her disqualification, be issued a commercial driver license, of the type disqualified, for the remainder of his or her unexpired license period. Any such person ~~must~~ shall pay the reinstatement fee provided in s. 322.21 before being issued a commercial driver license.

Section 10. Paragraph (b) of subsection (1) of section 322.271, Florida Statutes, is amended to read:

322.271 Authority to modify revocation, cancellation, or suspension order.—

(1)

(b) A person whose driving privilege has been revoked under s. 322.27(5) may, upon expiration of 12 months from the date of such revocation, petition the department for reinstatement of his or her driving privilege. Upon such petition and after investigation of the person's qualification, fitness, and need to drive, the department shall hold a hearing pursuant to chapter 120 to determine whether the driving privilege shall be reinstated on a restricted basis solely for business or employment purposes. If such person is granted a limited driving privilege and subsequently violates the conditions of the restricted driving privilege, the restricted driving privilege must be revoked and the person is not eligible for any driving privilege for the remaining duration of the 5-year period after his or her initial license revocation.

Section 11. Section 322.66, Florida Statutes, is amended to read:

322.66 Vehicles permitted to be driven during driving skills tests.—A person who does not possess a valid driver license may drive a noncommercial or commercial motor vehicle during a driving skills test conducted in accordance with ~~s. 322.12(3) and (4)(b)~~ s. 322.12(3) and (4)(a), if the person has passed the vision, hearing, road rules, and road signs tests ordinarily administered to applicants for a Class E license, and, if required, has passed the commercial driver license knowledge and appropriate endorsement tests.

Section 12. Section 683.337, Florida Statutes, is created to read:

683.337 Move Over Awareness Week.—

(1) The week of April 14 of each year is designated as “Move Over Awareness Week” to educate the motoring public on the dangers of failing to comply with the Move Over Act and to honor those who have been injured or killed by motorists who failed to move over pursuant to s. 316.126.

(2) The Department of Highway Safety and Motor Vehicles, local governments, and other agencies are encouraged to sponsor events to promote public awareness of the dangers of failing to comply with the Move Over Act.

Section 13. This act shall take effect July 1, 2026.

Approved by the Governor June 5, 2025.

Filed in Office Secretary of State June 5, 2025.