

TECHNICAL ADVISORY

DIVISION OF MOTORIST SERVICES



To:	Tax Collectors and License Plate Agents	
Subject:	2012 Legislative Changes Which Effect Division of Motorist Services BIO Procedures	
Advisory Date:	06/01/12	Implementation Date: July 1 and October 1, 2012
Advisory Number:	R12-03	

The 2012 Legislature passed several House and Senate bills resulting in changes to motor vehicle and driver license laws. Effective dates vary and at least one bill has multiple effective dates.

The following amendments take effect July 1, 2012:

House Bill 226 amends Section 320.0848(2)(e), F.S., providing that a person who claims a disabled parking permit has been lost or stolen must submit an application and a certificate of disability (form HSMV 83039) issued within the last 12 months.

This means in order to obtain a replacement, the disabled applicant who has lost or had his permit stolen must provide a form HSMV 83039, Application For Disabled parking Permit, completed and signed by the medical provider within the last 12 months. Without this updated form, the Department cannot issue a replacement parking permit. The form will not be valid for more than 12 months from the date of the medical provider's signature.

Beginning with the June release, whenever data for the certifying authority is entered in FRVIS, a certification authorization date (CERT AUTH DATE) is required to be entered. The certification authorization date is the date the medical provider signed form HSMV 83039. When the transaction date is on or after 07/01/2012, a replacement parking permit transaction is denied when the certification authorization date is blank or more than 12 months prior to the transaction date.

Section 320.0848(8), F.S., provides that a parking enforcement specialist in addition to a law enforcement office may confiscate a disabled parking permit for specified reasons.

This bill also requires the Department to review disabled parking permit holders every six months and annually to ensure that they continue to meet the required criteria for permits and that they are not deceased. At regular intervals when the Department receives data from the Social Security Administration, the Department will cancel the disabled parking permits of anyone shown as deceased. Additionally, the Department will conduct reviews of randomly selected parking permits to ensure compliance.

Section 320.0848(10), F.S., requires the Department to develop and implement a means for people to report abuse of disabled parking permits. To report suspected abuse, the Department will provide a telephone hotline and a form to complete and submit online or via mail. You may provide customers with this hotline number and website link.

We are revising RS-38 Disabled Person Parking Permit Placards and form HSMV 83039 Disabled Parking Placard.

House Bill 393 amends Section 320.771(1), F.S., allowing a recreational vehicle dealer to apply for title, use a manufacturer's statement of origin as permitted by s. 319.23(1), F.S., and to perform delivery and preparation obligations and warranty defect adjustments on that line-make only if the dealer is authorized by a manufacturer agreement to buy, sell or deal in that particular line-make.

We have asked all RV manufacturers to identify the specific models within each line-make that are associated with each dealer. We will forward this information to NCIC, and they will assign a specific line-make for each model within the broad line-makes for each manufacturer. Once we receive this information from NCIC, we will add the specific line-makes associated with each model within the manufacturers broad line-makes in FRVIS.

House Bill 599 amends Section 316.515(3), F.S., providing that straight truck drivers tow no more than one trailer with an overall length of the truck-trailer combination not to exceed 68 feet.

Members/agents will be able to provide this information to customers taking the CDL examination. This information will be updated in the 2013 Florida Driver's Handbook in English and Spanish and in the CDL section of the Driver License Operations Manual.

House Bill 763 amends Section 320.07(1), F.S., providing that the expiration of the registration and renewal period for a natural person is at midnight on the owner's birthday.

Section 320.15(2), F.S., provides that a motor vehicle registrant who has renewed a motor vehicle registration during the advance renewal period pursuant to s. 320.071, F.S., and surrenders the license plate for the vehicle before the end of the renewal period may apply for a refund of the license taxes assessed in Section 320.08, Florida Statutes.

We are revising RS-02 Registration (Renewal) Periods, RS-65 Refunds for License Plates, Decals, or Initial Registration Fees, and form HSMV 83363 Application for License Plate/Decal Refund.

House Bill 1101 amends Section 320.27, F.S., exempting salvage motor vehicle dealers from the requirements to carry garage liability insurance and personal injury protection insurance on those vehicles that cannot be legally operated on road, highways, or streets in this state and specifies exemptions from the requirement that the insurer provide notification of nonrenewal to insured.

House Bill 1165 amends Sections 322.051 and 322.14, F.S., revising requirements for documentation verifying veteran status. This bill also allows a veteran not eligible for early renewal of the driver license or identification card to apply for the "V" designation upon payment of a \$2.00 fee, as long as the applicant is not conducting any other transaction. The fee for a replacement driver license or identification card is waived; however, the applicable service fees will apply.

We are updating this information in the Licensing Requirements and Identification Card sections of the Driver License Operations Manual to allow for issuance of a \$2 "replacement" DL/ID for veterans who are adding a V to their credential between normal renewal cycles. This law will also require a FDLIS update with changes to the revenue field. The Department sent out a press release notifying veterans of this change.

House Bill 1207 creates Section 316.85(1), F.S., to allow a person who possesses a valid driver license to operate an autonomous vehicle in autonomous mode. This will not require a special driver license. Customers will be able to use a Class E or higher license. We are updating this information in the Driver License Operations Manual, and we are adding this information to the 2013 Florida Driver's Handbook in English and Spanish.

Section 316.85(2) F.S., is created and provides that a person shall be deemed to be the operator of an autonomous vehicle operating in autonomous mode when the person causes the vehicle's technology to engage. We will update this information in the Driver License Operations Manual.

Section 319.145, F.S., is created providing for the operation of autonomous motor vehicles (vehicles equipped with autonomous technology) on public roads of this state by employees, contractors, or other persons designated by manufacturers of the technology for testing the technology.

These vehicles must meet federal standards and regulations and will carry a Florida brand designated for autonomous vehicles. Before testing in Florida, the entity must submit an instrument of insurance, surety bond, or acceptable proof of self-insurance to the Department for \$5 million. Any title or registration work for autonomous vehicles must be performed at DHSMV. If the autonomous equipment is removed from the vehicle, the Autonomous Vehicle brand will be replaced with the Prior Autonomous Vehicle brand.

We are developing a new procedure, TL-68 Autonomous Vehicles, and we are revising form HSMV 82040 adding a checkbox for Autonomous Vehicle to Section 3 Brands, Usage, and Type.

House Bill 1287 amends Sections 320.02(15) and 322.08(7), F.S., creating a voluntary contribution for Achievement and Rehabilitation Centers, Inc. (Autism Programs), and Support Our Troops, Inc. This legislation requires the application forms for motor vehicle registration and registration renewal, as well as original, renewal, or replacement driver license or identification cards to include language permitting the applicant to make a voluntary contribution to these organizations.

We are revising RS-59 Voluntary Trust Fund Fees and Fees-02 Chart, Motor Vehicle/Mobile Home Registration Fees and Flat Tax Distribution Chart.

We are updating the Driver License Operations Manual with the voluntary contribution section, the FDLIS application, and the Driver License Handbooks in English and Spanish.

Senate Bill 1998 amends Section 322.07, F.S., requiring applicants for temporary commercial driving permits to possess a valid Florida driver license.

Customers with out of state driver licenses who wish to practice driving a commercial vehicle will be required to transfer their license to Florida before we may issue them a temporary commercial driving permit. The FDLIS application will be updated. The Driver License Operations Manual and the 2013 Florida Driver's Handbook in English and Spanish will be updated to educate the public.

Section 322.59 F.S., requires the Department to disqualify a driver from operating a commercial motor vehicle if the driver holds a commercial driver license (CDL) and fails to comply with the medical certification requirement in federal rule. A new online process is being added that allows a driver to submit new medical certification before he becomes disqualified. A person disqualified from holding a commercial license may make application for a Class E license. Procedures for reinstating this disqualification will be sent to the tax collector and driver license field offices in June 2012.

Section 322.61 F.S., provides that a holder of a CDL who is convicted of two violations as outlined in paragraph (3) shall be permanently disqualified from operating a commercial vehicle.

Mandatory Entry of Net Selling Price by Motor Vehicle Dealers: The Department modified the Florida Real-Time Vehicle Information System (FRVIS) and the Electronic Filing System (EFS) to require licensed motor vehicle dealers to enter the net selling price prior to the completion of a title transaction. This change will become effective July 1, 2012 and make entering the net selling price mandatory.

We are revising form HSMV 82040 as follows: Section 7 - Dealer Sales Tax Report and Vehicle Trade in Information - now includes a box for filling in the selling price of the vehicle, vessel, or mobile home.

The following amendments take effect October 1, 2012:

House Bill 226 amends Section 320.0848(1)(d), F.S., providing that beginning October 1, 2012, the Department shall renew the disabled parking permit of any person certified as permanently disabled on the application if the person provides a certificate of disability issued within the last 12 months pursuant to this subsection.

The following new message or an abbreviated version of this will begin appearing on October renewal notices: *To renew, form HSMV 83039 signed by the certifying authority (physician) within the last 12 months is required.*

When the transaction date is on or after October 1, 2012, a Renewal Parking Permit or Mail Renewal transaction will be denied if the certification authorization date is more than 12 months prior to the transaction date. Again, the certification authorization date is the date the medical provider signed form HSMV 83039.

Beginning October 1, 2012, when the certification authorization date on the parking permit is blank or more than 12 months prior to the transaction date, VO (Virtual Office) will not show the option to renew the parking permit. Instead, the following message will be shown: *Re-authorization from your medical provider is required to be presented to your local tax collector before renewal is allowed.* Virtual Office will allow the option to renew a disabled parking permit online if the applicant has previously provided a tax collector office or tag agency with a form HSMV 83039 that was signed by the medical provider within 12 months of the date that the VO transaction is occurring.

Revisions to FRVIS will allow you to update the certifying authority information during a Parking Permit Renewal, Mail Renewal, Replacement, or Correction transaction. The current information on file is presented and may be changed when a new certification form HSMV 83039 signed by the medical provider within the past 12 months is submitted. A new transaction, Update Authorization, should be used to modify the existing certifying authority information when a completed form HSMV 83039 is received and no other action is needed (for example outside of the renewal period and a replacement is not needed).

We are revising RS-38 Disabled Person Parking Permit Placards and form HSMV 83039 Disabled Parking Placard.

Senate Bill 922 amends Section 320.089, F.S., providing special license plates and establishing a fee for issuance of these license plates to Combat Infantry Badge recipients, Vietnam War Veterans, and Korean Conflict Veterans who meet special requirements.

Section 320.0892, F.S., provides for a license plate to be issued to recipients of the Silver Star, Distinguished Service Cross, Navy Cross, or Air Force Cross upon application and proof that the applicant meets the qualifications for the applicable license plate. Payment of the license tax imposed under s. 320.08 is waived for registrations with these license plates.

We will revise RS-01 Overview of Motor Vehicle Registration Requirements & Documents & Exhibit A, RS-15 Military Service Related License Plates, RS-27 Personalized License Plates, form HSMV 83034, and Fees-02 Chart, Motor Vehicle/Mobile Home Registration Fees and Flat Tax Distribution Chart.