

MEETING OF THE GOVERNOR AND CABINET  
AS HEAD OF THE DEPARTMENT OF HIGHWAY SAFETY  
AND MOTOR VEHICLES

June 26, 2012  
AGENDA

Agency Contact: Jennifer Langston, 850-617-3195

<http://www.flhsmv.gov/agenda/2012/062612Agenda.pdf>

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1. Respectfully submit the Minutes for the April 24, 2012 Cabinet Meeting.

Attachment #1.  
Recommend Approval.

2. Respectfully submit Final Adoption of (66) Proposed Rules for Repeal of various subsections in Chapter 15 of the Florida Administrative Code (F.A.C) which contain obsolete or unnecessary provisions in the areas of Driver Licenses, Financial Responsibility, Medical Advisory Board, Florida Highway Patrol, Motor Vehicles, Mobile Home & RV Construction, Illegal parking, Commercial Motor Vehicles, Apportioned Licenses of Commercial Motor Vehicles, Vessel Registrations, and Vessel titling.

Attachment #2.  
Recommend Approval.

3. Respectfully submit the DHSMV 2012-2013 Annual Performance Contract for Approval.

Attachment #3.  
Recommend Approval.

T H E   C A B I N E T  
S T A T E   O F   F L O R I D A

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Representing:

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
STATE BOARD OF ADMINISTRATION  
FINANCIAL SERVICES COMMISSION, FINANCIAL REGULATION  
FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
DEPARTMENT OF VETERANS' AFFAIRS  
ADMINISTRATION COMMISSION  
FLORIDA LAND AND WATER ADJUDICATORY COMMISSION  
BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND

The above agencies came to be heard before THE FLORIDA CABINET, the Honorable Governor Scott presiding, in the Cabinet Meeting Room, LL-03, The Capitol, Tallahassee, Florida, on Tuesday, April 24, 2012, commencing at approximately 9:06 a.m.

Reported by:

MARY ALLEN NEEL  
Registered Professional Reporter  
Florida Professional Reporter  
Notary Public

ACCURATE STENOGRAPHY REPORTERS, INC.  
2894 REMINGTON GREEN LANE  
TALLAHASSEE, FLORIDA 32308  
850.878.2221

## APPEARANCES:

Representing the Florida Cabinet:

RICK SCOTT  
Governor

PAM BONDI  
Attorney General

JEFF ATWATER  
Chief Financial Officer

ADAM PUTNAM  
Commissioner of Agriculture

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I N D E X

## PAROLE QUALIFICATIONS COMMITTEE APPOINTMENTS

ITEM	ACTION	PAGE
--	Approved	5

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
(Presented by JULIE JONES)

ITEM	ACTION	PAGE
1	Approved	6
2	Discussed	6
3	Approved	10
4	Approved	11
5	Discussed	11

STATE BOARD OF ADMINISTRATION  
(Presented by ASH WILLIAMS)

ITEM	ACTION	PAGE
1	Approved	21
2	Approved	21
3	Approved	23
4	Approved	24
5	Approved	25

FINANCIAL SERVICES COMMISSION, FINANCIAL REGULATION  
(Presented by BRUCE KUHSE)

ITEM	ACTION	PAGE
1	Approved	28
2	Approved	29
3	Approved	30

FLORIDA DEPARTMENT OF LAW ENFORCEMENT  
(Presented by MARK ZADRA)

ITEM	ACTION	PAGE
1	Approved	31
2	Discussed	31
3	Approved	38
4	Approved	39

1                   GOVERNOR SCOTT: Now I would like to recognize  
2 Julie Jones with the Department of Highway Safety  
3 and Motor Vehicles. Good morning, Julie.

4                   MS. JONES: Good morning, Governor and Cabinet  
5 members. Today I have five agenda items for your  
6 consideration and approval.

7                   Item Number 1. I respectfully request  
8 approval for the minutes from the February 9th  
9 Cabinet meeting.

10                  GOVERNOR SCOTT: Is there a motion to approve  
11 Item 1?

12                  ATTORNEY GENERAL BONDI: So moved.

13                  GOVERNOR SCOTT: Is there a second?

14                  COMMISSIONER PUTNAM: Second.

15                  GOVERNOR SCOTT: Moved and seconded. Show it  
16 approved without objection.

17                  MS. JONES: Item 2. An important task force  
18 has been formed recently to address the driving  
19 behavior of the state's law enforcement officers.  
20 Task force members include the colonel from the  
21 Highway Patrol, Chief Brett Railey representing the  
22 Florida Police Chiefs Association, and Sheriff Tom  
23 Knight representing the Florida Sheriffs  
24 Association.

25                  I would like to ask Colonel Brierton to come

1 forward and give you a brief update on the first  
2 meeting and what the major tasks for the task force  
3 are.

4 GOVERNOR SCOTT: Good morning.

5 COLONEL BRIERTON: Good morning, Governor and  
6 members of the Cabinet.

7 On April 6th we held the first meeting of the  
8 Law Enforcement Driving Task Force, and it was done  
9 in Tampa at our Troop C headquarters, and we were  
10 addressing issues involving law enforcement crashes  
11 as well as the driving behavior of officers. Also  
12 participating were staff members from the Criminal  
13 Justice and Standards Training Commission as well  
14 as the Florida Commission on Law Enforcement  
15 Accreditation.

16 We established teams of subject matter experts  
17 to develop statistical data, training needs, and  
18 policy language, as well as developing the task  
19 force's charge. As part of this, we identified six  
20 core areas and created an action plan, and that  
21 action plan includes developing a public statement  
22 concerning task force activities and expanding our  
23 current data analysis. The Patrol did a study from  
24 2005 to 2008 regarding law enforcement crashes. We  
25 updated it to 2010, and we're taking a look at that

1 data to look at training areas.

2 In addition, we are developing a law  
3 enforcement database for crashes, law enforcement  
4 crashes. And what we intend to do with that is  
5 test it and then offer it to other law enforcement  
6 agencies to use as an early warning system.

7 We're reviewing training requirements and  
8 potential improvements. We've separated this into  
9 two categories, and the two categories are  
10 officer-involved crashes as well as driving  
11 behavior.

12 We're also looking at exploring the linkage  
13 between policy and practices as well as ethical  
14 decision-making. We'll be developing model policy  
15 and best practice recommendations and defining  
16 leadership responsibilities and roles which will be  
17 presented to the Police Chiefs, the Sheriffs  
18 Association, as well as the Patrol leadership.

19 We'll be developing a public awareness  
20 campaign and education program for the public. And  
21 the goal of the task force is to address policy,  
22 training issues, and behavior modification in order  
23 to enhance public safety and officer safety.

24 GOVERNOR SCOTT: All right. Are there any  
25 questions?

1 All right. Thank very much.

2 MS. JONES: The task force has already  
3 recognized that leadership is going to be a big  
4 issue, and that means leadership from the colonels,  
5 police chiefs, and sheriffs to make a stand and  
6 implement what the task force comes up with. And  
7 we'll be keeping you updated on task force  
8 activity.

9 Item Number 3. The Department has completed a  
10 comprehensive review of all our rules. As a  
11 result, we've identified numerous rules that are  
12 duplicative and no longer necessary to have on the  
13 books. This is the first of three rounds of rules  
14 that I'm going to bring to you.

15 We respectfully request final approval to  
16 repeal 70 rules in Florida Administrative Codes  
17 15A, 15B, and 15C. Areas affected are driver's  
18 license, financial responsibility, Medical Advisory  
19 Board, Florida Highway Patrol, motor vehicles,  
20 mobile home and RV construction, illegal parking,  
21 commercial motor vehicles, apportioned licenses of  
22 commercial motor vehicles, vessel registration, and  
23 vessel titling.

24 GOVERNOR SCOTT: All right. Is there a motion  
25 to approve this item?

1 CFO ATWATER: So moved.

2 GOVERNOR SCOTT: Is there a second?

3 ATTORNEY GENERAL BONDI: Second.

4 GOVERNOR SCOTT: Moved and seconded. Show it  
5 approved without objection.

6 ATTORNEY GENERAL BONDI: And, Governor, I know  
7 you've put so much time into this. I know this is  
8 incredibly time-consuming. Thank you.

9 MS. JONES: We took the charge from the  
10 Governor and Cabinet earlier last year seriously,  
11 and we're going to continue to scrub through and  
12 remove duplicative rules. And we're getting into  
13 the business rules that we have to also make sure  
14 that we eliminate any barriers, forms, or any  
15 burden to our business community. That's the next  
16 phase of rules.

17 Thank you.

18 GOVERNOR SCOTT: I'm sure they'll all be very  
19 appreciative.

20 MS. JONES: Yes, sir.

21 Items Number 4. We respectfully request  
22 approval to publish a notice of proposed rule for  
23 15C-120 to establish an electronic notification  
24 system for salvage motor vehicle dealers and  
25 secondary metals recyclers for end-of-life

1 vehicles.

2 Currently recyclers and dealers are required  
3 to return paper titles and salvage titles to the  
4 Department within one month's period of time.  
5 We're hopeful that this new process will reduce the  
6 time between the destruction of a vehicle and the  
7 time that we get it in the system to help law  
8 enforcement track fraudulently titled and stolen  
9 vehicles. This is a larger part of a shift by the  
10 agency and industry toward electronic processing of  
11 all vehicle titles.

12 GOVERNOR SCOTT: Great. Is there a motion to  
13 approve?

14 ATTORNEY GENERAL BONDI: So moved.

15 GOVERNOR SCOTT: Is there a second?

16 CFO ATWATER: Second.

17 GOVERNOR SCOTT: Moved and seconded. Show it  
18 approved without objection.

19 MS. JONES: My last item, Item Number 5. We  
20 respectfully request approval of the Department's  
21 Third Quarter Performance Report.

22 I don't typically discuss the revenue pie  
23 charts, the revenue in and out in my performance  
24 plan, but on a positive note, our revenue  
25 collections are up this quarter. Moneys collected

1 in the third quarter are always good because tax  
2 returns come in and people are paying off bills and  
3 catching up.

4 But this year, we're experiencing additional  
5 growth in title revenue, which is the new car  
6 purchases where you actually put a car trade back  
7 in, so you trade a car in. That's up 4-1/2  
8 percent, so we have an additional 55,000 vehicles  
9 this quarter that were purchased and titled in that  
10 way.

11 Significant growth in our financial  
12 responsibility reinstatement revenue, and modest  
13 growth in the new wheels on the road indicator.  
14 And this particular -- this is where you buy a car  
15 and add to the fleet, you buy a car for your child  
16 and you don't have a trade-in. This is up almost  
17 4 percent, and this is the first time in five years  
18 that we have seen an increase in this area. So we  
19 believe that this could be a very good sign that  
20 the economy is finally stabilizing relative to the  
21 revenue sources that we track and mind.

22 GOVERNOR SCOTT: Julie, do you track how many  
23 new people to the state there are that are  
24 licensing cars?

25 MS. JONES: Yes, we do. When someone moves

1           into the state, they have to retitle that car in  
2           Florida, and there's a special fee associated with  
3           that. So, yes, we also track that.

4           GOVERNOR SCOTT: Do you know how much we're  
5           up?

6           MS. JONES: No, I don't have that figure for  
7           that particular transaction, but I'll get it to  
8           you.

9           COMMISSIONER PUTNAM: Governor?

10          GOVERNOR SCOTT: Yes.

11          COMMISSIONER PUTNAM: In this economic  
12          climate, about what portion of car sales -- what  
13          portion of state sales tax collections are car  
14          sales? At one point it was enormous; right?  
15          Wasn't it like 20 or 25 percent at the peak?

16          MS. JONES: I think it's less than 20 percent,  
17          but it is a large number. It's a large transaction  
18          when you buy that many vehicles. And so just for  
19          this past quarter, to have 55,000 vehicles  
20          purchased with a trade-in and another 8,500 or so  
21          brand new, yes, sir.

22          COMMISSIONER PUTNAM: So that's the best  
23          barometer out there in terms of hitting our revenue  
24          estimates for the overall state sales collections,  
25          aren't they?

1 MS. JONES: And what the Department has done  
2 in the last year, we've completely automated our  
3 revenue process, and we have revenue cubes now that  
4 are built, and so we have realtime data as these  
5 transactions are fed into the system. Instead of  
6 having to wait for the month-end and then two weeks  
7 after to hand or, you know, process information  
8 manually, we do it all electronically now.

9 And the Legislature has established a Revenue  
10 Estimating Commission just for the Department now  
11 because of the amount of revenue that we process.

12 GOVERNOR SCOTT: That's great.

13 MS. JONES: So I can get you that information  
14 periodically if you would like relative to trends.  
15 But this was significant this quarter, and it was a  
16 little bit beyond what we had anticipated.

17 GOVERNOR SCOTT: That's great. It's  
18 consistent with -- if you think about all the other  
19 numbers, whether it's number of people moving into  
20 the state, the number of people off unemployment,  
21 unemployment rate, everything. I mean, everything  
22 you can see is heading up right now. We've just  
23 got to keep it up.

24 MS. JONES: This quarter we have 30  
25 performance measures within 95 percent of their

1 established goal, three measures between 85 and 95  
2 percent, and one measure below 85 percent. On the  
3 agency's dashboard, that is reflected in our green,  
4 yellow, red dashboard.

5 Criminal investigative cases older than 90  
6 days continue in the yellow, but this backlog,  
7 these are the cold cases that have been around  
8 beyond just in the system. They're going to be  
9 caught up the end of June.

10 The customer satisfaction rating was at  
11 78.3 percent in the third quarter. This tells us  
12 that 22 percent of our customers are still not  
13 happy or completely satisfied with our service.  
14 Wait times and wait times on the phone are the most  
15 common complaint, and we're still doing process  
16 improvement and staffing to help improve this  
17 measure.

18 The Department's IT staff prides itself on  
19 timely delivery of new products. We rely a lot on  
20 our IT folks, and so we've got some performance  
21 measures to keep them on their toes. And this  
22 quarter, they completed five out of six new  
23 technology projects on time. One late project, it  
24 was only three weeks late, but it was late, and it  
25 bumped their measure into the yellow. We've

1           realigned contracted services, and we'll get this  
2           measure into the green, and I don't anticipate this  
3           to be a recurring problem.

4           Last quarter I was optimistic that our third  
5           quarter measure for driver's license wait times  
6           would be in the yellow, but we're not there yet.  
7           72.4 percent of customers waited 30 minutes or  
8           less, which is pretty darn good. But as CFO  
9           Atwater mentioned when I presented this performance  
10          plan, this measure is set at 95 percent. And we  
11          set the goal high because we believe we can get  
12          there. And we continue to make improvement in this  
13          measure, but we're going to work on staffing and  
14          equipment issues that occurred this quarter, and  
15          this is tied into our transition to tax collectors,  
16          but we'll get there.

17                 So I'll be glad to answer any questions.

18                 GOVERNOR SCOTT: Commissioner.

19                 COMMISSIONER PUTNAM: Thank you, Governor.

20                 Have you completed the Highway Patrol field  
21          office closings? Has that process pretty well run  
22          its course where you were doing a lot of  
23          consolidation?

24                 MS. JONES: Yes, sir. We had ten offices that  
25          we proposed to close. But I think in the end --

1           was it three that we partnered with local agencies  
2           with? So we ended up keeping three open, but it  
3           was because either a sheriff or a police chief  
4           said, "No. We want to keep that open, and we'll  
5           pay for it." So, yes, that process is complete.

6           COMMISSIONER PUTNAM: What effect did that  
7           have on response time in the areas where you didn't  
8           have that -- where you've now closed that office?

9           MS. JONES: It didn't have any effect on  
10          response time, because those were basically offices  
11          where officers could stop and do paperwork. It had  
12          nothing to do with response time. And by  
13          partnering with local law enforcement, where we  
14          closed an office, if the local sheriff didn't take  
15          it over, they gave us space in their offices. So  
16          we've just reduced overhead.

17          COMMISSIONER PUTNAM: How do you dispose of  
18          that property?

19          MS. JONES: It's a very difficult and  
20          cumbersome process. We work with DEP, and it's all  
21          laid out in statute. I have a couple of driver's  
22          license offices that are in economically depressed  
23          neighborhoods that are on our books now for three  
24          years because I can't get rid of them, but I have  
25          to maintain them.

1           So Secretary Vinyard and I have talked about  
2           this, and we're proposing to make some major  
3           changes on how this process works. But it is in  
4           statute, and we're going to have to propose some  
5           statutory changes.

6           COMMISSIONER PUTNAM: We would be happy to  
7           help. It's hard to make money for the State around  
8           here sometimes.

9           MS. JONES: Yes, sir.

10          COMMISSIONER PUTNAM: They make it hard to  
11          sell things.

12          GOVERNOR SCOTT: Just the process?

13          ATTORNEY GENERAL BONDI: If you want to come  
14          talk to us about that, we might have some ideas for  
15          you.

16          MS. JONES: Okay. Because it's bureaucracy at  
17          its finest.

18          GOVERNOR SCOTT: All right. Any questions?

19          Thank you, Julie.

20          MS. JONES: Thank you, Governor.

21          GOVERNOR SCOTT: Have a good day.

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Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02,F.S., s.322.08,F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02,F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051,322.08 (2),322.09(1)(b),F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16,F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative. in s. 322.12,F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239,F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239,F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s.322.12,F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155 (3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514,F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed;s. 732.915, 732.921,F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed;s. 732.915, 732.921,F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed;s. 732.915, 732.921,F.S.
15A-1.0295	Donor Withdrawal	Unnecessary;Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601,F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s.322.141,F.S.
15A-1.0299	Examination,Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25,F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021,324.031,320.02(5),F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125,F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed;s.320.062,F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211,F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615,F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed;s. 325.26,F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23,F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d),F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary;Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2), F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005, F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01, F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07 (3) and 320.07(4), F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607, F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3), F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2), F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4), F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

(g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was considered; or

(h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

(i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15A-1.001: Applications

15A-1.0011: Definitions

15A-1.0012: Identification and Proof of Date of Birth Required for Driver License of  
Identification Card

15A-1.002: Restricted Licenses

15A-1.006: Identification Cards

15A-1.007: Suspended, Disqualified, or Revoked Licenses; Approval

15A-1.011: Service Fee

15A-1.018: Point Determination; Suspensions

15A-1.020: Duplicate and Replacement Licenses

15A-1.025: Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection;  
On-Cycle Skill Test and Applicant Requirements; Scoring Criteria

15A-1.029: Distribution of Organ Donor Registration Forms

15A-1.0291: Organ Donor Registration Form

15A-1.0292: Funding of an Organ Donor Program

15A-1.0293: Donor Registry

15A-1.0294: Donor Identification

15A-1.0295: Donor Withdrawal

15A-1.0297: School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age

15A-1.0298: Insulin Dependent Diabetics License Issuance

15A-1.0299: Examination, Temporary Driving Permit and Drivers License Denial

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

\_\_\_\_\_  
Executive Director  
Title

\_\_\_\_\_  
Department of Highway Safety and Motor Vehicles  
Agency

\_\_\_\_\_  
6  
Number of Pages Certified

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

CHAPTERS 15A

REPEAL RULES

**RULE NUMBERS: RULE TITLE:**

15A-1.001: Applications

15A-1.0011: Definitions

15A-1.0012: Identification and Proof of Date of Birth Required for Driver License of Identification Card

15A-1.002: Restricted Licenses

15A-1.006: Identification Cards

15A-1.007: Suspended, Disqualified, or Revoked Licenses; Approval

15A-1.011: Service Fee

15A-1.018: Point Determination; Suspensions

15A-1.020: Duplicate and Replacement Licenses

15A-1.025: Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria

15A-1.029: Distribution of Organ Donor Registration Forms

15A-1.0291: Organ Donor Registration Form

15A-1.0292: Funding of an Organ Donor Program

15A-1.0293: Donor Registry

15A-1.0294: Donor Identification

15A-1.0295: Donor Withdrawal

15A-1.0297: School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age

15A-1.0298: Insulin Dependent Diabetics License Issuance

15A-1.0299: Examination, Temporary Driving Permit and Drivers License Denial

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02, F.S., s. 322.08, F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2), 322.09(1)(b); F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12, F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239, F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155 (3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's License Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25, F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125, F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615, F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2), F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2); F.S.; administered under International Fuel Tax Agreement.
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005, F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01, F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07(3) and 320.07(4); F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607; F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3), F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2); F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4); F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

## CHAPTER 15A-1 DRIVER LICENSES

### 15A-1.001 Applications.

All applications for drivers' licenses shall be made on the following forms furnished by the Department at local driver licenses offices: Florida Driver License Application (HSMV 71033, Revised 9/86); Temporary Driving Permit, or Application for Driver License/I.D. Card (HSMV 71034 A, Revised 9/90), both of which are herein incorporated by reference.

*Rulemaking Specific Authority 322.02 FS. Law Implemented 322.08 FS. History—New 11-20-75, Formerly 15A-1.01, Amended 12-22-92, Repealed*

### 15A-1.0011 Definitions.

Except when the context otherwise requires, as used in this Chapter:

(1) "Department" means the Department of Highway Safety and Motor Vehicles.

(2) "Denied" means a privilege is withheld for a specific period of time or reinstatement procedures are not processed until such time as a course of action is completed.

*Rulemaking Specific Authority 322.02, 20.24 FS. Law Implemented 322.01 FS. History—New 12-22-92, Repealed*

### 15A-1.0012 Identification and Proof of Date of Birth Required for Driver License or Identification Card.

(1) Any two of the following documents must be used to prove identification and date of birth as required by the Department for applicants applying for driver licenses or identification cards:

(a) Birth certificate.

(b) School records stating date of birth and which contain school registrar's signature.

(c) Transcript of the birth record filed with a public officer charged with the duty of recording certificates.

(d) Baptismal certificate which shows the date of birth and the place of baptism.

(e) An application for an insurance policy or the policy on the subject's life which policy has been in force for at least 2 years and which specifies the month, day, and year of birth.

(f) Family Bible record, or birth announcement in baby book.

(g) Passport.

(h) Marriage certificate.

(i) Court order which includes legal name.

(j) Military or military dependent ID card.

(k) Florida or out-of-state driver license, valid or expired.

(l) Voter registration card which was issued at least three months prior to the date of application.

(m) Personal identification by an examiner or by a person well known to the examiner.

(n) Florida Vehicle Registration Certificate, (Form HSMV-83300, revised 1/90, and herein incorporated by reference) obtained from the tax collector's office where the applicant's vehicle was registered, Florida, or out-of-state registration certificate, if name and date of birth are shown.

(o) Florida and out-of-state non-driver identification cards issued only by the State of Florida, another state, territory, or possession of the United States, or District of Columbia.

(p) Receipt copy of applicant's last Florida driver license or identification card issuance.

(q) Immigration Forms, including but not limited to: I-94, I-688, I-688 A, I-688 B, I-689, I-551, I-97, I-179, I-317 or I-571.

(r) Federal Form DD-214.

(s) Alien registration receipt card, Form I-551 (laminated).

(t) Parent Consent For Driver Application Of Minor Under 18 (Form HSMV 71022, Revised 2/90, and herein incorporated by reference), obtained from a local driver license office, or a written statement of a parent, listing the applicant's full name, date, and place of birth (city and state) sworn to by the parent or witnessed by an examiner.

(u) Florida license record or identification card record.

(v) United States Social Security Card.

~~(w) Draft card.~~

~~(x) Any national identification document from a foreign county (cedula, cartilla, carte d'identife).~~

~~(y) Adoption papers.~~

~~(z) Insurance policies in force for five (5) years or more showing date of birth.~~

~~(aa) A document acceptable to the driver license supervisor which meets the following standards:~~

~~1. Reflects full name or a derivation of the full name of the applicant if a document presented pursuant to paragraph (1)(a) of this rule contains the applicant's full name;~~

~~2. Reflects same address given on the application for the driver license or identification card; and~~

~~3. Is consistent with the statement given by the applicant to the examiner in a verbal explanation of the applicant's identity.~~

~~(2) Of the two documents presented, at least one must include the date of birth of the applicant.~~

~~(3) At least one of the two documents offered must reflect the legal name of the applicant as reflected on the applicant.~~

~~(4) Documents presented must be either original or certified copies of the original, and cannot have been altered.~~

~~(5) All persons residing in the State of Florida are entitled to apply for and obtain a driver's license regardless of race, color, immigration status and national origin, if otherwise qualified under the laws of the State of Florida. No Division employee shall require any particular document over any other specific document that meets the identification requirement and is presented by any applicant for driver's license. No employee shall discriminate against any individual on the basis of race, color, immigration status and nationality and origin.~~

~~(6) Under the authority of Chapter 322, F.S., the Department of Highway Safety and Motor Vehicles, Division of Driver Licenses is solely responsible for issuing driver licenses to all applicants whose driving privilege is in good standing, who have demonstrated the required knowledge and abilities to operate a motor vehicle safely, and have presented identification documents in compliance with the rules set forth herein. Accordingly, all employees of the Department, unless otherwise required, shall refrain from requiring any applicant for a driver license to additionally show proof of immigration status.~~

~~(7) Applicants for a Florida driver's license shall be denied said license only for the reasons set forth in Section 322.05, F.S.~~

~~Rulemaking Specific Authority 322.02(3) FS. Law Implemented 322.051, 322.08(2), 322.09(1)(b) FS. History-New 12-22-92, Repealed~~

#### **15A-1.002 Restricted Licenses.**

~~Restricted driver licenses shall be issued to persons who are at least 15 years of age, after qualifying on the road rules, road signs and vision tests. When operating a motor vehicle, except motorcycles or mopeds, the holder of a restricted driver license shall be accompanied by a licensed driver who is not less than eighteen years of age and who is actually occupying the closest seat to the right of such restricted driver. The holder of a restricted driver license may not drive at night except during the last six months before the licensee's sixteenth birthday and thereafter. Upon attaining the age of sixteen years and upon qualifying on the demonstration of driving ability administered by the Department or as provided in Rule 15A 1.027, F.A.C., the applicant is eligible to be issued a driver license.~~

~~Rulemaking Specific Authority 322.02 FS. Law Implemented 322.05, 322.16 FS. History-New 11-20-75, Formerly 15A-1.02, Amended 12-22-92, Repealed~~

#### **15A-1.006 Identification Cards.**

~~(1) Any person twelve years of age or older may, upon application and payment of the proper fee per Section 322.051, F.S., be issued a color photographic identification card which shall expire four years from the applicant's next birthday after the date of issuance. Any person who is 60 years of age or older, and has an identification card issued under Section 322.051, F.S., shall have an identification card that will not expire unless cancelled by the Department or by the death of the person. A person obtaining a Florida identification card may also possess a Florida driver license.~~

~~(2) The identification card shall contain the U.S. Social Security Number of the person to whom the card was issued, an identification number, the office number where the card was issued, the issue date, the card holder's height, and expiration year in addition to the information specifically required by Section 322.051, F.S.~~

*Rulemaking Specific Authority 322.02 FS. Law Implemented 322.051 FS. History—New 11-20-75, Formerly 15A-1.06, Amended 12-22-92, Repealed*

#### **15A-1.007 Suspended, Disqualified, or Revoked Licenses; Approval.**

An applicant whose driver's license is or has been suspended, disqualified, or revoked must be approved by the Department before the examination may be given. If a nonresident's driving privilege has been suspended, disqualified, or revoked, it will be necessary to be reinstated in that state or provide proof that the suspension, revocation, or disqualification period has expired, been terminated, or withdrawn before making application for a Florida driver's license.

*Rulemaking Specific Authority 322.02 FS. Law Implemented 322.05(3) FS. History—New 11-20-75, Formerly 15A-1.07, Amended 12-22-92, Repealed*

#### **15A-1.011 Service Fee.**

(1) A twenty five dollar (\$25) service fee is required of all persons being reinstated following a suspension and fifty dollars (\$50) following a revocation of the driving privilege. Persons being reinstated following revocation or disqualification for medical reasons, or inadequate vision, or suspensions for adjudications of incompetence shall not pay a service fee.

(2) Disqualifications on either the written examination or driving ability test will not require the payment of a service fee.

*Rulemaking Specific Authority 322.02 FS. Law Implemented 322.12 FS. History—New 11-20-75, Formerly 15A-1.11, Amended 12-22-92, Repealed*

#### **15A-1.018 Point Determination; Suspensions.**

(1) The Department is authorized to assess points for applicable convictions of violations of motor vehicle laws or ordinances or applicable provisions of Section 403.413(S)(b), F.S., when such violation involves the use of a motor vehicle. The Department is also authorized to suspend the driver license of any person accumulating twelve (12) or more points within the time periods specified in Section 322.27, F.S.

(2) Multiple violations for which there was more than one conviction, which conviction did not result in suspension or revocation of the driver's license or for which more than one citation was issued, will be considered as separate violations; the number of points assessed will be based on each such violation. Convictions which resulted in the suspension, disqualification, or revocation of driver's license shall not be assessed points.

*Rulemaking Specific Authority 322.02 FS. Law Implemented 240.265, 322.27, 338.239 FS. History—New 11-20-75, Formerly 15A-1.18, Amended 12-22-92, Repealed*

#### **15A-1.020 Duplicate and Replacement Licenses.**

(1) Upon notifying the Department that a Florida driver's license has been lost, destroyed or surrendered and upon properly establishing identity and address, a duplicate license shall be issued after payment of the fee set out in Section 322.17(1), F.S., except as provided in Section 322.17(2), F.S., if the Department's records indicate the licensee is eligible for such issuance.

(a) Upon reinstating a license which has been revoked, suspended, disqualified, or cancelled for reasons other than fraud, a no fee duplicate license shall be issued if the original issued license is not available.

(b) A no fee duplicate license shall be issued to correct departmental errors made in the issuance of a driver license.

(2) Upon the surrender of the original license and the payment of the proper replacement fee, the Department shall issue to an eligible driver a replacement license reflecting the necessary changes such as name, address, restrictions, and physical description. A replacement license shall also be issued to a driver who, due to being out of state, was issued a license valid without photograph or signature, in order for the driver to obtain a license bearing a photograph and signature, upon payment of the replacement fee set out in Section 322.17(2), F.S., and surrender of the original license.

(3) Duplicate or replacement licenses shall not be issued to Florida residents temporarily out of the state, except for persons

who are out of the country and except for military personnel or their dependents stationed outside of the state. Instead, upon request, a 30-day Temporary Driving Permit (form HSMV 71900, Revised 7/87, and herein incorporated by reference) shall be issued by the Department at 2900 Apalachee Parkway, Tallahassee, Florida. With proper proof of identity, the 30-day permit shall be extended by issuance of another permit valid for an additional 60 days.

*Rulemaking Specific Authority 322.02 FS. Law Implemented 322.17, 322.29 FS. History--New 11-20-75, Formerly 15A-1.20, Amended 12-22-92, Repealed*

### **15A-1.025 Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria.**

A person shall not operate a motorcycle unless a driver's license authorizing such operation has been issued.

(1) An applicant will be required to pass, first a road rule/road sign examination and then a written knowledge motorcycle test.

(2) Prior to the on-cycle skill test, motorcycle equipment will be inspected, and if items do not pass inspection, as listed in Chapter 9 of the "Florida Examiner's Manual" (form HSMV 71999, as incorporated in Rule 15A-1.014, F.A.C.), the on-cycle skills test will not be given.

(3) Applicants are required to wear the following safety equipment during the on-cycle skills test:

(a) An approved helmet as defined in Rule 15B-1.006, F.A.C.

(b) Eye protective device as defined in Rule 15B-1.007, F.A.C.

(4) Scoring criteria.

(a) Only performance errors observed will be scored.

(b) Any applicant who scores 13 or more penalty points on the alternate MOST course and 12 or more points on the MOST II course will be disqualified.

(c) Examiners will use the specific scoring criteria for the skill test as listed in Chapter 9 of the "Florida Examiner's Manual". Disqualification or termination of the test will also occur under the conditions listed in scoring criteria in the Driver License Examiner's Manual.

(d) Failure to pass the on-cycle skill test on the fifth attempt will result in motorcycle application being denied for 3 months. This is not a suspension. A service fee will not be charged after expiration of the 3-month denial period. Upon expiration of the denial period, applicant may reapply for the endorsement starting with the motorcycle knowledge test and upon passing, shall be issued a Temporary Driving Permit (form HSMV 71900, as incorporated in Rule 15A-1.020, F.A.C.), for motorcycle operation.

*Rulemaking Specific Authority 322.02 FS. Law Implemented 316.211, 322.03, 322.12 FS. History--New 12-22-92, Repealed*

### **15A-1.029 Distribution of Organ Donor Registration Forms.**

(1) The Department, through a procedure concurred in by the Florida Department of Health and Rehabilitative Services, will provide an organ donor Registration Form (HRS/PI 150-78, Revised 10/84, and hereby incorporated by reference) to any person applying for a driver's license or identification card or any other interested party in driver license offices of the Department. The Department shall furnish these organ donor registration forms to other interested parties along with "organ donor stickers" to be affixed to a driver's license or identification card of a donor. Those parties providing stickers to the public must also submit to the Department a completed organ donor Registration Form for each sticker distributed.

(2) A display of information on the donation of anatomical gifts along with a supply of organ donor registration forms are to be placed in all driver license offices for distribution to the public.

(3) Organ donor registration shall be without charge.

*Rulemaking Specific Authority 322.02, 732.921(2) FS. Law Implemented 732.915, 732.921 FS. History--New 12-22-92, Repealed*

#### **15A-1.0291 Organ Donor Registration Form.**

~~The organ donor registration form shall conform to the form provided for in Section 732.914(2)(b), F.S.~~

~~Rulemaking Specific Authority 322.02, 732.921(2) FS. Law Implemented 732.921(1) FS. History-New 12-22-92, Repealed~~

#### **15A-1.0292 Funding of an Organ Donor Program.**

~~The Department may use funds appropriated from general revenue.~~

~~Rulemaking Specific Authority 322.02, 732.921, 20.05(6) FS. Law Implemented 732.915, 732.921 FS. History-New 12-22-92, Repealed~~

#### **15A-1.0293 Donor Registry.**

~~The Department shall examine the organ donor Registration Form (HRS/PI 150-78, Revised 10/84, and hereby incorporated by reference), and in accordance with procedures outlined by the Department, shall be recorded on microfilm in accordance with procedures outlined by the Department.~~

~~Rulemaking Specific Authority 322.02, 732.921 FS. Law Implemented 732.915, 732.921 FS. History-New 12-22-92, Repealed~~

#### **15A-1.0294 Donor Identification.**

~~After the donor has submitted the organ donor Registration Form (HRS/PI 150-78, Revised 10/84, and herein incorporated by reference), a donor identification logo will be placed on the donor's driver license or identification card. Subsequent issues of the donor's driver license or identification card will automatically be marked with the donor logo unless the donor specifically requests that donor authorization be removed in accordance with the provisions of Section 732.916, F.S. and Rule 15A-1.0295, F.A.C.~~

~~Rulemaking Specific Authority 732.921 FS. Law Implemented 732.916, 732.921 FS. History-New 12-22-92, Repealed~~

#### **15A-1.0295 Donor Withdrawal.**

~~(1) Upon receipt by the Department of any of the communications specified in Section 732.916, F.S., the organ donor Registration Form (HRS/PI 150-78, Revised 10/84, and herein incorporated by reference) and any other organ donor authorization for that person shall be amended or removed from the Department's records and destroyed in accordance with the provisions of the communication and replaced by the record of such communication.~~

~~(2) The Department will make a form, to revoke or amend organ donations available at all driver license offices. That form, Withdrawal of Organ Donor Will, is sufficient to meet the requirements of a signed statement or document provided for in Section 732.916, F.S.~~

~~(3) Upon receipt by the Department of any communication to withdraw an organ donation, and upon surrender of the donor's current driver's license or identification card, the donor will be issued a replacement driver's license or duplicate identification card which will not have the donor logo imprinted on it. The fee specified in Chapter 322, F.S., shall be charged for such replacement license or duplicate identification card.~~

~~Rulemaking Specific Authority 322.02, 732.921 FS. Law Implemented 732.916, 732.921 FS. History-New 12-22-92, Repealed~~

#### **15A-1.0297 School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age.**

~~In compliance with Florida Statutes, to ensure that driver license applicants who are between the ages of 15 and 18 years are currently enrolled and meeting the relevant school attendance requirements in a facility approved by the district school board, unless such requirement is waived or exempted by such school board, the following procedures apply:~~

~~(1) Applicants for licenses issued on or after October 1, 1989 who are between the ages of 15 and 18 years, must present to the examiner written verification on official school forms or letterhead stationary proof of school enrollment, waiver, or exemption.~~

Students who present such proof for issuance of a restricted operator license need not present proof at the time the restricted operator license is surrendered for an operator license.

~~(2) The local school board district for the student who drops out of school or fails to meet the relevant school attendance requirements, shall officially notify the Department for the purpose of having the student's driving privilege/license suspended until age 18 or the school requirements are met, whichever occurs first. The Department will forthwith issue such suspension to be effective 20 days after being placed in first class mail, to the student's last address reported to the Department. Normal reinstatement procedures are required for relicensing following this suspension, including a fee and an examination.~~

~~(3) Students who apply for license issuance during a calendar time period that the school board district office is closed and proof of the school requirements can not be obtained, may submit to the required examinations for license issuance and then be issued a non-renewable 60 day temporary driving permit pending their securing and presenting the required proof. Such temporary driving permit will be issued without charge and shall contain the same terms and conditions as the license for which application was made. Upon presenting the required proof to the examiner, along with the temporary permit, the license shall be issued and the license fees collected.~~

Rulemaking Specific Authority 322.02 FS. Law Implemented 322.09, 322.0601 FS. History--New 12-22-92, Repealed

#### **15A-1.0298 Insulin Dependent Diabetics License Issuance.**

Licenses shall have a designation thereon, at the request of the applicant, that the licensee is insulin dependent. The statement of the applicant, to this effect, while the examiner is processing the application, is sufficient proof of the dependence for the Department. No additional fee is authorized.

Rulemaking Specific Authority 322.02 FS. Law Implemented 322.141 FS. History--New 12-22-92, Repealed

#### **15A-1.0299 Examination, Temporary Driving Permit and Driver's License Denial.**

No examination will be administered to any applicant who appears in such a condition that the examiner at the driver license office reasonably believes the applicant is incapable of taking the examination. Such condition shall include, but shall not be limited to, impairment due to consumption of alcohol or any chemical substance or controlled substance. The same shall apply to any applicant who appears for issuance of a temporary driving permit or driver's license.

Rulemaking Specific Authority 322.02 FS. Law Implemented 322.05, 322.12, 322.121, 322.25 FS. History--New 12-22-92, Repealed

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

- (1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and
- (2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and
- (3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and
- (a) Are filed not more than 90 days after the notice; or
- (b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or
- (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or
- (d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or
- (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

(g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was considered; or

(h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

(i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15A-3.009: Insurance Binders for the Purpose of Vehicle Registration

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

\_\_\_\_\_  
Executive Director  
Title

\_\_\_\_\_  
Department of Highway Safety and Motor Vehicles  
Agency

\_\_\_\_\_  
1  
Number of Pages Certified

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**CHAPTERS 15A**

**REPEAL RULES**

**RULE NUMBERS: RULE TITLE:**

15A-3.009: Insurance Binders for the Purpose of Vehicle Registration

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02; F.S.; s. 322.08; F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2); 322.09(1)(b); F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12; F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239; F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155(3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921; F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921; F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601; F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05; 322.12; 322.121, 322.25; F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125; F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062; F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615; F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23; F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2), F.S.; administered under International Fuel Tax Agreement.
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005, F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01, F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3), F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07(3) and 320.07(4), F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607, F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3), F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2), F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4), F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15A-3**  
**BUREAU OF FINANCIAL RESPONSIBILITY - RULES AND REGULATIONS RELATING TO FINANCIAL**  
**RESPONSIBILITY LAW**

**15A-3.009 Insurance Binders for the Purpose of Vehicle Registration.**

~~Effective October 1, 1989, every insurer issuing a binder, in Florida or to a Florida resident, providing automobile personal injury protection and property damage liability coverage shall furnish to the named insured a standard binder for the purpose of vehicle registration.~~

*Rulemaking Specific Authority 324.042 FS. Law Implemented 324.021, 324.031, 320.02(5) FS. History--New 5-23-78, Formerly 15A-3.09, Amended 12-11-89, 3-25-93, Repealed.*

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

- (1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and
- (2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and
- (3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and
  - (a) Are filed not more than 90 days after the notice; or
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  - (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

[ ] (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures

Committee that an objection to the rule was considered; or

[ ] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which

substantially accomplishes the objectives of the law being implemented; or

[ ] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15A-5.0011: Functions and Responsibilities

15A-5.003: Seizure Disorders

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

\_\_\_\_\_  
Executive Director

Title

\_\_\_\_\_  
Department of Highway Safety and Motor Vehicles

Agency

\_\_\_\_\_  
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Number of Pages Certified

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

CHAPTERS 15A

REPEAL RULES

**RULE NUMBERS: RULE TITLE:**

15A-5.0011: Functions and Responsibilities

15A-5.003: Seizure Disorders

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02; F.S., s. 322.08; F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051; 322.08 (2); 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12; F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239, F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155 (3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25, F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125, F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615, F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2), F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2), F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005, F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01, F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07(3) and 320.07(4), F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607, F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3), F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2), F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4), F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15A-5  
MEDICAL ADVISORY BOARD GUIDELINES**

**15A-5.0011 Functions and Responsibilities.**

The responsibilities of the Board are to:

- ~~(1) Meet regularly at the call of its Chairman, at the request of a majority of its membership or at the request of the department.~~
- ~~(2) Advise the Department of Medical Criteria and Vision Standards relating to the licensing of drivers.~~
- ~~(3) Report to the Department on the individual physical and mental qualifications of a licensed driver or applicant.~~
- ~~(4) Receive for the confidential use of the Board or the Department reports for the purpose of assisting the Department in determining whether a person is mentally or physically qualified to be licensed.~~

~~(a) Reports received or made by the Board are for the confidential use of the Board or the Department and may not be divulged to any person except the licensed driver or applicant or such persons as he may authorize in writing and may not be used as evidence in any trial, except that the reports may be admitted in proceedings of Section 322.271 or 322.31, F.S.~~

*Rulemaking Specific Authority 322.02(3), 322.126(1) FS. Law Implemented 322.05(7), 322.125, 322.126, 322.221(2)(c), 120.62 FS. History-New 6-27-82, Amended 7-29-84, 1-28-85, Formerly 15A-5.011, Repealed \_\_\_\_\_.*

**15A-5.003 Seizure Disorders.**

~~Any seizure may disqualify an applicant for further driving privileges until such time as he presents sufficient medical evidence of his physical qualifications to safely operate a motor vehicle.~~

*Rulemaking Specific Authority 322.20(3), 322.126(1) FS. Law Implemented 322.05(7), 322.125(1), (2), 322.126(1), 120.62 FS. History-New 7-5-81, Amended 6-27-82, Formerly 15A-5.03, Repealed \_\_\_\_\_.*

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

[ ] (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures

Committee that an objection to the rule was considered; or

[ ] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

[ ] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15B-1.001: Safety Glazing Material; Specifications

15B-1.006: Motorcycle Safety Helmets

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

\_\_\_\_\_  
Executive Director

Title

Department of Highway Safety and Motor Vehicles  
Agency

1

Number of Pages Certified

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**CHAPTERS 15B**

**REPEAL RULES**

**RULE NUMBERS: RULE TITLE:**

15B-1.001: Safety Glazing Material; Specifications

15B-1.006: Motorcycle Safety Helmets

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02, F.S., s. 322.08, F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2), 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12, F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239, F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155 (3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25, F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125, F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615, F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2), F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005, F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01, F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07 (3) and 320.07(4), F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607, F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3), F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2), F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4), F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15B-1  
MOTOR VEHICLE EQUIPMENT APPROVAL**

**15B-1.001 Safety Glazing Material; Specifications.**

(1) In compliance with Section 320.062(1), Florida Statutes, the Department of Highway Safety and Motor Vehicles adopts the specifications of the American National Standards Institute, Incorporated, 1430 Broadway, New York, New York, 10018, "SAFETY GLAZING MATERIALS FOR GLAZING MOTOR VEHICLES OPERATING ON LAND HIGHWAYS," approved by the corporation on July 15, 1966, and reaffirmed in 1973 and Federal Motor Vehicle Safety Standard Number 205 as applicable, as its requirements for approval of various types of glazing materials to be used on motor vehicles operating in Florida.

(2) Glazing materials are approved by the Department of Highway Safety and Motor Vehicles upon submission to the American Association of Motor Vehicle Administrators (1201 Connecticut Avenue, Northwest, Washington, D.C. 20036) in accordance with their procedure for testing. A certificate of approval issued by the American Association of Motor Vehicle Administrators for safety glazing material is approved by this Department.

*Rulemaking Specific Authority 320.062 FS. Law Implemented 320.062 FS. History—New 11-20-75, Formerly 15B-1.01, Repealed*

**15B-1.006 Motorcycle Safety Helmets.**

(1) The Department adopts and incorporates by reference Federal Motor Vehicles Safety Standard Number 218 promulgated by the United States Department of Transportation as its minimum requirement for approval of Motorcycle Safety Helmets to be used by motorcycle occupants operating in Florida. All approved headgear shall be identified by reference to labeling as required in subsection (2) or the list of approved helmets maintained by the Department according to subsection (5).

(2) In accordance with the federal standard, each helmet shall be permanently and legibly labeled, in a manner such that the label can be easily read without removing padding or any other permanent part, with the following:

(a) Manufacturer's name or identification.

(b) Precise model designation.

(c) Size.

(d) Month and year of manufacture. This may be spelled out (e.g., June 1974), or expressed in numerals (e.g., 6/74).

(e) The symbol DOT, constituting the manufacturer's certification that the helmet conforms to the applicable Federal Motor Vehicle Safety Standards. This symbol should appear on the outer surface, in a color that contrasts with the background, in letters at least 3/8 inch high, centered laterally approximately 1 1/4 inches from the bottom edge of the posterior portion of the helmet. The presence of the DOT symbol affixed by the manufacturer in the manner prescribed shall constitute proof of compliance with approved standards and accepted by law enforcement officers without the necessity for referral to the approved list maintained by the Department. If the DOT symbol is not present on the outer surface, helmet compliance must be determined by the internal markings required in subsections (a)-(d) above and the approved list maintained according to subsection (5). A helmet which contains no internal or external labeling sufficient to identify its manufacturer, model, size, month and year of manufacture cannot be approved for use in this state.

(3) Helmets not designed for use by motorcycle occupants, including but not limited to the following, are not approved: bicycle helmets, toy helmets, military combat helmets, flight helmets, soft helmets, and team sports helmets.

(4) The use of protective headgear that includes speakers, other listening devices, or microphones, shall be permitted.

(5) Helmets bearing the DOT symbol affixed by the manufacturer or otherwise complying with subsection (2) of this rule are approved. In addition, helmets not labelled according to size, but otherwise identical to approved makes and models of the same manufacturer, shall be included on the approved list. A list of approved helmets, which have been certified by their manufacturer as meeting the standards set forth in subsections (1) and (2) above, may be obtained from local Highway Patrol Stations or by contacting the Department of Highway Safety and Motor Vehicles, Neil Kirkman Building, Tallahassee, Florida 32301, Attention: Motorcycle Headgear, Florida Highway Patrol. This approved helmet listing dated July 15, 1986 is incorporated by reference herein.

*Rulemaking Specific Authority 316.211 FS. Law Implemented 316.211 FS. History—New 11-20-75, Formerly 15B-1.06, Amended 11-3-86, Repealed*

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

[ ] (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was considered; or

[ ] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

[ ] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15B-4.001: Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up.

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

Executive Director  
\_\_\_\_\_  
Title

Department of Highway Safety and Motor Vehicles  
Agency

1  
\_\_\_\_\_  
Number of Pages Certified

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**CHAPTERS 15B**

**REPEAL RULES**

**RULE NUMBERS: RULE TITLE:**

15B-4.001: Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up.

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02; F.S., s. 322.08; F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2), 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12; F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239, F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155(3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921; F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921; F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25; F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125; F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062; F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615; F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2); F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005; F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01; F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715; F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320; F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07 (3) and 320.07(4); F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607; F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3); F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2); F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4); F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

CHAPTER 15B-4  
PUPIL TRANSPORTATION

**15B-4.001 Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up.**

(1) All motor vehicles, other than private passenger automobiles and school buses with a seating capacity of less than twenty-four (24) pupils, which are used primarily for the transportation of pupils to school, but which are not operated by or under the purview of the state, a political subdivision thereof, or under franchise issued by a municipality or the public service commission, shall comply with the following regulations effective July 1, 1969.

(a) Shall be equipped with all equipment regularly required of a motor vehicle of that size and weight.

(b) Shall pass Florida's annual inspection by the Florida Highway Patrol.

(c) All school bus drivers shall pass an annual physical examination, and have posted in bus certificate to drive same.

(d) Shall be painted National School Bus chrome yellow with black trim. No other colors acceptable.

(e) Shall have semaphore extender stop arm painted red with the "STOP" in six (6) inch white letters.

(f) Each school bus shall be equipped with signal lamps mounted laterally as high as practicable, which shall be capable of displaying on the traffic side to the front two alternately flashing lights, one red and one amber, located at the same level, and these lights shall have sufficient intensity to be visible at five hundred (500) feet in normal sunlight. Each such light shall be a minimum of five and one fourth (5 1/4) inches in diameter with black background of one and one fourth (1 1/4) inches to three (3) inches wide and with a minimum hood of two and one half (2 1/2) inches. Such lights shall meet or exceed the standards of the Society of Automotive Engineers of New York.

(g) Shall have non-leaking exhaust system.

(h) Shall be equipped with first aid kit.

(i) Shall be equipped with fire extinguisher.

(j) Shall have glass on all windows (not broken).

(k) Lettering: "School Bus" shall be painted in eight (8) inch letters on both front and rear and correspond with series B, standard alphabet. Emergency exists shall be indicated by two (2) inch letters on inside and outside. Name of school shall be in six (6) inch letters on belt line.

(l) Shall have outside rear view mirror on left and right sides, and each mirror shall have not less than fifty (50) square inches overall viewing area.

(m) Shall have inside rear view mirror capable of giving driver a clear view of the bus interior.

(n) Seats shall be standard type of metal fully padded, or fiberglass securely anchored and in good repair with no rough or sharp edges.

(o) Shall have liability insurance to protect pupils being transported.

(p) Shall transport no more passengers than equipped to seat; not less than thirteen (13) inches seat area per passenger.

(q) Shall have adequate switches to operate semaphore stop arm and warning lights.

(r) All drivers will be required to have a chauffeurs license and abide by all the laws, rules and regulations pertaining to operating a school bus.

*Rulemaking Specific Authority 316.288 FS. Law Implemented 316.288 FS. History—New 11-20-75, Transferred to 15C-6.01, 4-17-81, Transferred back to 15B-4.01, 11-6-81, Formerly 15B-4.01, Repealed*

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

[ ] (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures

Committee that an objection to the rule was considered; or

[ ] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which

substantially accomplishes the objectives of the law being implemented; or

[ ] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15B-5.001: Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department.

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

Executive Director

Title

Department of Highway Safety and Motor Vehicles  
Agency

2

Number of Pages Certified

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

CHAPTERS 15B

REPEAL RULES

**RULE NUMBERS: RULE TITLE:**

15B-5.001: Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department.

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02, F.S., s. 322.08, F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2), 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12, F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239, F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155 (3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15- 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25, F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125, F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615, F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951;F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951;F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951;F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2);F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001,F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005;F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4),F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023,F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s.320.01;F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s.320.0715,F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s.320.0715;F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07 (3) and 320.07(4);F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s.320.0715,F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607;F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3),F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2);F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s.320.0715,F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4);F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s.327.04,F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s.327.04,F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s.327.04;F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15B-5  
ENERGY ABSORPTION SYSTEMS - MANUFACTURER'S CERTIFICATION**

**15B-5.001 Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department.**

~~(1)(a) The sale, or titling and registration, in the State of Florida of every private passenger automobile manufactured on or after September 1, 1974, shall be subject to the manufacturer's warranty that it is equipped with an appropriate energy absorption system. Warranty provisions shall not be applicable when the manufacturer files a written certification under oath with the Department of Highway Safety and Motor Vehicles in accordance with the provisions of this regulation. The certification shall state that the motor vehicles specified therein comply with the provisions of this regulation and Section 501.125, Florida Statutes.~~

~~(b) The energy absorption system shall be so constructed that the vehicle which is equipped with it can be subject to a fixed barrier test, both front and rear, in accordance with the procedures contained in Standard SAE J850a (Society of Automotive Engineers) at a speed of five (5) miles per hour without sustaining any damage to the automobile.~~

~~(c) For the purpose of this test, the phrase "without sustaining any damage to the automobile" shall mean meeting the protective criteria contained in NHTSA Motor Vehicle Safety Standard No. 215 and in addition to which there shall be no visible damage to the body sheet metal or ornamentation or damage to the vehicle chassis of such magnitude to impair design or structure integrity.~~

~~(d) As a result of the test impact, damage to the energy absorption system shall be limited to:~~

- ~~1. Minor nicks, dents, scratches or abrasions, and~~
- ~~2. Reasonable system displacement or "set" not discernible to the naked eye.~~

~~(e) Each manufacturer shall, as a part of the test or tests conducted, prepare adequate and sufficient records (including photographic records) to support the certification. Test records will be maintained for a period of at least three (3) years for inspection and audit.~~

~~(2) Manufacturer's Certification (Energy Absorption System):~~

~~(a) A certification, when filed, must be for each make of vehicle for each model year and for each model of any make of vehicle when it is determined that sufficient differences in engineering design or body configuration exist to warrant a separate test being made. No fee is charged for filing the certification.~~

~~(b) The certification shall be made under oath and with such content and substantially the same form, as follows:~~

~~STATE OF FLORIDA  
DEPARTMENT OF HIGHWAY SAFETY & MOTOR VEHICLES  
FLORIDA HIGHWAY PATROL  
MOTOR VEHICLE INSPECTION SECTION  
NEIL KIRKMAN BUILDING  
TALLAHASSEE, FLORIDA 32304  
CERTIFICATION OF ENERGY ABSORPTION SYSTEM~~

~~\_\_\_\_\_ (Name of Manufacturer) certifies that the private passenger automobile(s) listed below can be driven, either forward or backward, directly into a standard Society of Automotive Engineers (SAE J 850) test barrier at a speed of five miles per hour without sustaining any damage to the automobile in compliance with Section 501.125, Florida Statutes, as it pertains to Energy Absorption Systems.~~

~~(List all makes and models and if any additional space is needed, use additional sheet and certify each sheet).~~

\_\_\_\_\_

\_\_\_\_\_  
Authorized Signature  
Sworn To and Subscribed To Before  
Me This \_\_\_\_\_ Day of \_\_\_\_\_  
19\_\_\_\_.

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Title of Person Administering Oath

~~(c) This certification to be filed with:  
Department of Highway Safety and Motor Vehicles  
Neil Kirkman Building  
Tallahassee, Florida 32304~~

~~(d) Certification shall be filed no later than December 1, 1974, for the first year and by September 1 of each succeeding year.~~

Rulemaking Specific Authority 325.26 FS. Law Implemented 501.125 FS. History—New 11-20-75, Formerly 15B-5.01, Repealed

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

[ ] (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures

Committee that an objection to the rule was considered; or

[ ] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which

substantially accomplishes the objectives of the law being implemented; or

[ ] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15B-6.001: Charges for Accident Photographs

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

\_\_\_\_\_  
Executive Director  
Title

\_\_\_\_\_  
Department of Highway Safety and Motor Vehicles  
Agency

\_\_\_\_\_  
1  
Number of Pages Certified

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**CHAPTERS 15B**

**REPEAL RULES**

**RULE NUMBERS: RULE TITLE:**

15B-6.001: Charges for Accident Photographs

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02, F.S., s. 322.08; F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2), 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12, F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239, F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155 (3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25, F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125, F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615, F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2); F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2); F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005; F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01; F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715; F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07 (3) and 320.07(4); F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607, F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3), F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2); F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4), F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15B-6  
ACCIDENT PHOTOGRAPHS**

**15B-6.001 Charges for Accident Photographs.**

The following fees shall be charged for prints of accident photographs produced by the Florida Highway Patrol:

**CHARGE PER PRINT**

<b>SIZE</b>	<b>COLOR</b>	<b>BLACK &amp; WHITE</b>
5 × 7	\$1.00	\$.75
8 × 10	\$1.50	\$1.00
11 × 14	Not Available	\$1.75
16 × 20	Not Available	\$2.75
20 × 24	Not Available	\$3.75

*Rulemaking Specific Authority 119.07(1), 120.53(1)(a) FS. Law Implemented 119.07, 120.53, 320.05(1) FS. History—New 4-29-79, Formerly 15B-6.01, Repealed \_\_\_\_\_.*

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

[ ] (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures

Committee that an objection to the rule was considered; or

[ ] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which

substantially accomplishes the objectives of the law being implemented; or

[ ] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15C-1.002: "Goat" Tags, Requirement for.

15C-1.009: Automobiles for Private Use; Definitions.

15C-1.0110: Rule Review.

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

\_\_\_\_\_  
Executive Director

Title

Department of Highway Safety and Motor Vehicles  
Agency

1

Number of Pages Certified

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**CHAPTERS 15C**

**REPEAL RULES**

**RULE NUMBERS: RULE TITLE:**

15C-1.002: "Goat" Tags, Requirement for.

15C-1.009: Automobiles for Private Use; Definitions.

15C-1.0110: Rule Review.

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02, F.S., s. 322.08, F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2), 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12, F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239, F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155 (3)(a), F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25, F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125, F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615, F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2), F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005; F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023; F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01; F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715; F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07 (3) and 320.07(4); F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607; F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3); F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2); F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4); F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15C-1  
GENERAL**

**15C-1.002 "Goat" Tags, Requirement for.**

~~(1) Applications for registration of motor vehicles known as "goats" shall be on the form prescribed by the Division of Motor Vehicles.~~

~~(2) No registration of license plate will be issued for any motor vehicle known as a "goat" unless the application for registration clearly shows that such vehicle: (1) will be used a majority of the time and the miles traveled in fields, groves and woods in farming or harvesting operations, with travel on public roads being incidental to such use, and (2) will not be principally used to carry loads over or upon public roads.~~

*Rulemaking Specific Authority 320.011, 320.17 FS. Law Implemented 320.17, 320.08(3)(e) FS. History—New 6-22-76, Formerly 15C-1.02, Repealed \_\_\_\_\_.*

**15C-1.009 Automobiles for Private Use; Definitions.**

~~For the purpose of the administration of motor vehicle equipment and safety laws and regulations, the following definitions are provided:~~

~~(1) "Passenger car" means a motor vehicle with motive power, except a multi purpose passenger vehicle or motorcycle, designed for carrying ten persons or less.~~

~~(2) "Multi purpose passenger vehicle" means a motor vehicle with motive power designed to carry ten persons or less which is constructed either on a truck chassis or with special features for occasional off road operation.~~

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.01(1)(a), 320.08(2) FS. History—New 6-22-76, Formerly 15C-1.09, Repealed \_\_\_\_\_.*

**15C-1.0110 Rule Review.**

~~The Department shall periodically review Rules 15C-1.0101 through 15C-1.0110, F.A.C., and promulgate any amendments to said rules. The first such review will begin January 1, 1997, and shall be repeated at three year intervals thereafter.~~

*Rulemaking Specific Authority 320.011, 320.824(1), 320.8325(2) FS. Law Implemented 320.77(10), 320.822(12), 320.8285, 320.8325, 320.835(2) FS. History—New 1-10-94, Repealed \_\_\_\_\_.*

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

- (1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and
- (2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and
- (3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and
- (a) Are filed not more than 90 days after the notice; or
- (b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or
- (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or
- (d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or
- (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or
- (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

[ ] (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures

Committee that an objection to the rule was considered; or

[ ] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

[ ] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15C-2.001: Manufacturer and Dealer Licensing.

15C-2.0041: Van Conversions.

15C-2.009: General.

15C-2.010: Forms.

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

\_\_\_\_\_  
Executive Director  
Title

\_\_\_\_\_  
Department of Highway Safety and Motor Vehicles  
Agency

1

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Number of Pages Certified

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

CHAPTERS 15C

REPEAL RULES

**RULE NUMBERS: RULE TITLE:**

15C-2.001: Manufacturer and Dealer Licensing.

15C-2.0041: Van Conversions.

15C-2.009: General.

15C-2.010: Forms.

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02, F.S., s. 322.08, F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2), 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12, F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239, F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155(3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25, F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125, F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615, F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2), F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005, F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01, F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07(3) and 320.07(4), F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607, F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3), F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2), F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4), F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15C-2**  
**RULES OF PROCEDURE FOR BUREAU OF MOBILE HOME AND RECREATIONAL VEHICLE CONSTRUCTION**

**15C-2.001 Manufacturer and Dealer Licensing.**

All mobile/manufactured home and recreational vehicle manufacturers and dealers shall be licensed by the department.

*Rulemaking Specific Authority 320.011, 320.824 FS. Law Implemented 320.8225, 320.827, 320.77 FS. History—New 1-25-75, Amended 9-11-78, Formerly 15C-2.01, Amended 12-10-92, 4-8-99, Repealed \_\_\_\_\_.*

**15C-2.0041 Van Conversions.**

A conversion van is a self-propelled motor vehicle converted to provide temporary living quarters. In order for a converted unit to be subject to inspection, it must have one or a combination of the following installed by a licensed recreational vehicle manufacturer:

- (1) 120-volt electrical wiring.
- (2) LP gas system.
- (3) Plumbing system consisting of a bathroom with a drainage system.

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.822(2), 320.8256, 320.827, 320.8225 FS. History—New 12-10-92, 4-8-99, Repealed \_\_\_\_\_.*

**15C-2.009 General.**

No products, materials, or method of installation, will be accepted or allowed, unless incorporated in the codes set forth in Section 320.822(3), F.S.

*Rulemaking Specific Authority 320.011, 320.822, 320.824 FS. Law Implemented 320.822, 320.823, 320.824 FS. History—New 1-25-75, Amended 9-11-78, Formerly 15C-2.09, Repealed \_\_\_\_\_.*

**15C-2.010 Forms.**

All forms mentioned in or required by this rule chapter may be obtained without cost by contacting the Bureau of Mobile Home and Recreational Vehicle Construction, Department of Highway Safety and Motor Vehicles, 2900 Apalachee Parkway, Tallahassee, Florida 32399-0640.

*Rulemaking Specific Authority 120.53(1)(b) FS. Law Implemented 120.53(1)(b) FS. History—New 9-11-78, Formerly 15C-2.10, Amended 12-10-92, Repealed \_\_\_\_\_.*

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

(g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures

Committee that an objection to the rule was considered; or

(h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

(i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15C-8.001: Purpose and Scope.

15C-8.002: Written Notice, Content.

15C-8.003: Copy of Written Notice.

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

Executive Director

Title

Department of Highway Safety and Motor Vehicles  
Agency

2  
Number of Pages Certified

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**CHAPTERS 15C**

**REPEAL RULES**

**RULE NUMBERS: RULE TITLE:**

15C-8.001: Purpose and Scope.

15C-8.002: Written Notice, Content.

15C-8.003: Copy of Written Notice.

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02, F.S., s. 322.08, F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2), 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12, F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239, F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155 (3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25, F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125, F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615, F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2), F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005, F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01, F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07 (3) and 320.07(4), F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607, F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3), F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2), F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4), F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15C-8  
ILLEGAL PARKING OF VEHICLES FOR PURPOSE OF SALE OR RENTAL**

**15C-8.001 Purpose and Scope.**

The purpose of this rule is to provide the necessary format and language to be used for the written notice required to facilitate the enforcement of the provisions of s. 316.1951, F.S., which provides for the removal and storage of motor vehicles illegally parked for the purpose of selling or renting the vehicle.

*Rulemaking Specific Authority 316.1951(3) FS. Law Implemented 316.1951 FS. History—New 2-22-89, Repealed*

**15C-8.002 Written Notice, Content.**

The written notice required by s. 316.1951, F.S., shall be on a form that is 3-1/2" x 8-1/2" and shall be red in color with black lettering. The notice shall contain the following information and be in the format prescribed herein.

(1) The front side of the written notice shall read:

**NOTICE**

~~THIS TAG IS DISPLAYED TO NOTIFY THE MOTORIST RESPONSIBLE THAT THIS VEHICLE MAY BE IN VIOLATION OF s. 316.1951(1), F.S., AND WILL BE REMOVED AS DESIGNATED BY s. 316.1951(4), F.S. (PRINTED ON REVERSE SIDE)~~

**WARNING**

~~THIS VEHICLE WILL BE TOWED AT THE OWNER'S EXPENSE IF NOT REMOVED WITHIN 24 HOURS OF THIS NOTICE.~~

DATE \_\_\_\_\_ TIME \_\_\_\_\_

LOCATION \_\_\_\_\_

TAG NUMBER \_\_\_\_\_

OFFICER \_\_\_\_\_

AGENCY \_\_\_\_\_

TELEPHONE NUMBER \_\_\_\_\_

~~(If you have any questions concerning this notice call this number immediately.)~~

**THIS IS NOT A TRAFFIC CITATION**

(2) The reverse side of the written notice shall read:

Section 316.1951 Parking for certain purposes prohibited.

(a) It is unlawful for any person to park a motor vehicle, as defined in s. 320.01, for a continuous period in excess of 24 hours, after written notice, upon a public street or highway, upon a public parking lot, or other public property, or upon private property where the public has the right to travel by motor vehicle, for the principal purpose and intent of displaying the motor vehicle thereon for sale, hire, or rental unless the sale, hire, or rental of the motor vehicle is specifically authorized on such property by municipal or county regulation and the person is duly licensed as a motor vehicle dealer in accordance with s. 320.27, F.S., and the person is in compliance with all municipal or county licensing regulations.

(b) The provisions of subsection (a) do not prohibit a person from parking his own motor vehicle or his other personal property on any private real property which he owns or leases or on private real property which he does not own or lease, but for which he obtains the permission of the owner, or on the public street immediately adjacent thereto, for the principal purpose and intent of sale, hire, or rental.

(c) The Department of Highway Safety and Motor Vehicles shall adopt by rule a uniform written notice to be used to enforce this section. Each law enforcement agency in this state shall provide, at each agency's expense, the notice forms necessary to enforce this section.

(d) A law enforcement officer may cause to be removed at the owner's expense any motor vehicle found upon a public street, public parking lot, other public property, or private property, where the public has the right to travel by motor vehicle, which is in violation of subsection (a). Every written notice issued pursuant to this section shall be affixed in a conspicuous place upon a vehicle by a law enforcement officer.

~~(e) Any other provision of law to the contrary notwithstanding, a violation of subsection (a) shall subject the owner of such motor vehicle to towing fees reasonably necessitated by removal and storage of the motor vehicle.~~

~~(f) This section does not prohibit the governing body of a municipality or county, with respect to streets, highways, or other property under its jurisdiction, from regulating the parking of motor vehicles for any purpose.~~

~~*Rulemaking Specific Authority 316.1951(3) FS. Law Implemented 316.1951 FS. History—New 2-22-89, Repealed*~~

**15C-8.003 Copy of Written Notice.**

~~Law enforcement agencies may have the Notice printed, as provided herein, in a form using a copy.~~

~~*Rulemaking Specific Authority 316.1951(3) FS. Law Implemented 316.1951 FS. History—New 2-22-89, Repealed*~~

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

(g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was considered; or

(h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

(i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15C-12.001: Scope of Rules.

15C-12.002: Definitions.

15C-12.003: Privilege Tax Imposed.

15C-12.004: Procedures for Registration.

15C-12.005: Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements.

15C-12.006: Reports to be Filed Regardless of Tax or Registration.

15C-12.007: Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties.

15C-12.009: Estimate of Tax Due and Unpaid.

15C-12.010: Change of Address.

15C-12.011: Seizure of Vehicle, Other Equipment.

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

\_\_\_\_\_  
Executive Director  
Title

\_\_\_\_\_  
Department of Highway Safety and Motor Vehicles  
Agency

\_\_\_\_\_  
7  
Number of Pages Certified

## DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

### CHAPTERS 15C

### REPEAL RULES

#### RULE NUMBERS: RULE TITLE:

15C-12.001: Scope of Rules.

15C-12.002: Definitions.

15C-12.003: Privilege Tax Imposed.

15C-12.004: Procedures for Registration.

15C-12.005: Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements.

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15C-12.009: Estimate of Tax Due and Unpaid.

15C-12.010: Change of Address.

15C-12.011: Seizure of Vehicle, Other Equipment.

#### Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

#### Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

#### Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

#### Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
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15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08(2), 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12, F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239, F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155 (3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25, F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125, F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615, F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2), F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005, F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01, F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07(3) and 320.07(4), F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607, F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3), F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2), F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4), F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15C-12**  
**TAX ON OPERATION OF COMMERCIAL MOTOR VEHICLES**

**15C-12.001 Scope of Rules.**

These rules are to be used by the Department of Highway Safety and Motor Vehicles ("the Department") in the enforcement of Chapter 207, F.S., the Special Fuel and Motor Fuel Use Tax Act of 1981.

*Rulemaking Specific Authority 207.011(2) FS., Ch. 87-198, Laws of Florida. Law Implemented 207.011(4) FS. History--New 10-14-82, Formerly 12B-9.01, Transferred from 12B-9.001, Amended 1-1-90, Repealed \_\_\_\_\_.*

**15C-12.002 Definitions.**

(1) "Net Weight" is the actual scale weight of a completely equipped vehicle.

(2) "Gross Weight" shall be the net weight of a motor vehicle including any trailer coupled thereto, plus the weight of the load carried by such vehicle.

(3) "Gross Vehicle Weight" means the gross weight of a truck tractor and semi-trailer combination, calculated by adding the net weight of the truck tractor to the gross weight of the semi-trailer, such vehicles being coupled together by means of a fifth wheel arrangement whereby part of the weight of the semi-trailer and load rests upon the truck tractor.

(4) "Registration Period" means the period January 1 through December 31 of the same year. The term refers to the registration of vehicles and is not a reference to tax filing periods.

(5) "Wet Lease" means:

(a) A contractual agreement between an owner-operator lessor and motor carrier lessee, whereby the lessor supplies all fuel consumed by the motor vehicle or vehicles involved in the lease service agreement; or

(b) A contractual agreement between a bare vehicle rental lessor and lessee, whereby the lessor supplies all fuel consumed by the motor vehicle or vehicles involved in the lease agreement.

(6) "Dry Lease" means:

(a) A contractual agreement between an owner-operator lessor and motor carrier lessee, whereby the lessee (motor carrier) supplies all fuel consumed by the motor vehicle or vehicles involved in the lease agreement; or

(b) A contractual agreement between a bare vehicle rental lessor and lessee, whereby the lessee supplies all fuel consumed by the motor vehicle or vehicles involved in the lease agreement.

(7) "Driveaway Operation" is an operation in which any vehicle or vehicles, operated singly or in lawful combinations, new or used, not owned by the transporting motor carrier, constitute the commodity being transported.

(8) "Truckaway Operation" is the movement of any cargo by motor vehicle other than a driveaway operation regardless of the ownership of such cargo.

(9) "Motive Power" is any source of power other than muscular, used to propel motor vehicles over the public highways.

(10) "Saddle Mount" is the operation of one vehicle towing one or more vehicles when a portion of the weight of the towed vehicle(s) rests upon the towing vehicle.

(11) "Transmission Charges" are the monetary fees assessed by permitting services for transmitting emergency permits.

(12) "Annual Permit" is an identifying device to be issued to motor carriers engaged in driveaway operations only, which may be transferred from one driveaway unit to another.

(13) "Trip Permit" is a temporary identifying device to be issued to registered motor carriers only. It shall be used only when a vehicle has not been properly identified with a Florida Fuel Use Tax Decal.

(14) "Emergency Permit" is a temporary identifying device to be used only when a vehicle has not been properly identified with a Florida Fuel Tax Decal or for trip lease purposes which may be requested by registered or non-registered motor carriers and transmitted by electronic means only.

(15) "Commercial Motor Vehicle" means any vehicle not owned or operated by a governmental entity which uses special fuel or motor fuel on the public highways; and which has a gross vehicle weight in excess of 26,000 pounds, or has three or more axles regardless of weight, or is used in combination when the weight of such combination exceeds 26,000 pounds gross vehicle weight; but the term excludes vehicles operated to serve the transportation disadvantaged population pursuant to s. 427.011, F.S., or by a private operator that provides public transit services under contract with such a provider.

~~(16) "Motor Carrier" means any person owning, controlling, operating, or managing any commercial motor vehicle used to transport persons or property over any public highways.~~

~~(17) "Owner operator" means any person owning, controlling, operating, or managing any motor vehicle which has been extended for hire or lease to any motor carrier for the purpose of transporting persons or property over any public highway. A lease not involving an owner operator lessor is referred to in this chapter as a "Bare Vehicle" lease or rental.~~

~~(18) "Operator," "Operated," "Operation," or "Operating" means and includes the utilization in any form of any commercial motor vehicle, whether loaded or empty, whether utilized for compensation or not for compensation, and whether owned by or leased to the motor carrier who uses it or causes it to be used.~~

~~(19) "Use," "Uses," or "Used" refers to the consumption of special fuel or motor fuel in a commercial motor vehicle for the propulsion thereof.~~

~~(20) "Commercial Motor Vehicle Services" means the lease or rental of a vehicle and driver to provide transportation services as normally provided by owner operators.~~

~~(21) "Cab Card" refers to a document of the form referred to in subsection 15C-12.008(4), F.A.C., and issued at the same time and under the same terms and conditions as the "Identifying Device", or decal.~~

~~(22) "Identifying Device" and "Identification Device" refers to the decal issued to motor carriers registered with the Department under this chapter. Where the context requires, the terms shall also be taken to include the documents which, under subsections 15C-12.004(7) through (10), F.A.C., may be obtained and displayed in lieu of registering and displaying such decal.~~

*Rulemaking Specific Authority 207.011(2) FS. Law Implemented 207.002, 207.003, 207.004 FS. History—New 10-14-82, Formerly 12B-9.02, Transferred from 12B-9.002, Amended 1-1-90, Repealed \_\_\_\_\_.*

### **15C-12.003 Privilege Tax Imposed.**

~~(1) Every motor carrier operating commercial motor vehicles, other than Florida-based commercial vehicles which travel Florida intrastate mileage only, shall, before operating or engaging in any truckaway or driveaway operations in this state, register with the Department and secure from the Department an identifying device for each commercial motor vehicle so operated or caused to be operated. Motor carriers claiming the intrastate exemption shall have the responsibility of proof, as supported by manifests, bills of lading or any other pertinent documents as may be requested by any officer described in s. 207.023, F.S. The operation of a vehicle with a Florida apportioned plate, as defined in Chapter 320, F.S., shall constitute prima facie evidence that the vehicle does not qualify for the intrastate exemption within the meaning of this subsection.~~

~~(2) Leasing companies, leasing commercial motor vehicles to a lessee under a wet lease agreement must register and secure an identifying device for each vehicle so leased. The lessor is responsible for reporting to the Department and remitting payment of any tax due. The lessee is not required to secure any type of additional permit.~~

~~(3) Owner operators, leasing commercial motor vehicle services to a motor carrier (lessee) pursuant to a wet lease agreement, under which the owner operator (lessor) is contractually or otherwise responsible for the fuel used, must register and secure an identifying device for each vehicle so leased and accrue and remit the fuel use tax to the Department. The lessee is not required to secure any type of additional permit.~~

~~(4) Lessees of commercial motor vehicles operating such vehicles under dry leases must register with the Department, secure vehicle identification devices, and accrue and remit their own fuel tax to the Department. However, with written permission from the Department, a bare vehicle leasing company entering into "dry lease" contracts may have the privilege of accruing and reporting the fuel tax when there is agreement between lessor and lessee wherein the lessor will be responsible for the gallons consumed by the lessee over Florida highways and liable for registering with the Department, securing identification devices, reporting fuel used, reporting miles travelled and remitting the total tax accrued to the Department. Such assumption of liability for taxes must be contained in the terms of the lease or rental agreement, or must be indicated on the lease or rental agreement and acknowledged by the lessee. The lease (or memorandum thereof) or rental agreement shall be maintained by the lessee in the vehicle leased.~~

~~(5) Owner operators, leasing commercial motor vehicle services to a motor carrier (lessee) pursuant to a dry lease agreement, under which the motor carrier (lessee) is contractually or otherwise responsible for the fuel used, are not required to register or secure an identifying device for each vehicle so leased. However, the motor carrier (lessee) must register and secure an identifying device for each vehicle so leased and accrue and remit fuel use tax to the Department.~~

### **15C-12.004 Procedures for Registration.**

The procedures for motor carrier registration and issuance of identifying devices required by Rule 15C-12.003, F.A.C., shall be as follows:

(1) On or before midnight December 31 of each year, every motor carrier operating commercial motor vehicles over the public highways of the State of Florida, other than a Florida-based commercial motor vehicle which travels Florida intrastate mileage only, shall register with the Department and secure from the Department vehicle identification devices for each commercial motor vehicle which it intends to operate during the ensuing registration period or portion thereof.

(a) The motor carrier may apply for the number of identifying devices sufficient to cover vehicles which the motor carrier anticipates will be operating or placed in operation during the period. Supplemental vehicle identification devices may be secured from the Department during any registration period if the need arises or is anticipated.

(b) No refund or exchange shall be made for unused identification devices, except that devices issued prior to 1989 may be exchanged, at no cost, for an equal number of devices for the 1989 registration period upon written request made during 1989 and accompanied by the unused devices.

(c) The application for identifying devices shall be duly completed and executed by an official of the motor carrier and shall be filed with the Department, accompanied by a fee of \$4.00 per identification device requested, for each registration period or portion thereof.

(d) Each original application shall be accompanied by proof of current insurance coverage on the vehicle, in the amounts and of the type set out or contemplated in s. 627.7415, F.S., as amended from time to time, such proof to consist of one of the following:

1. An original Form E filing, issued by an insurer and having the content prescribed for such form by the Underwriters' Association of America.

2. A certificate of insurance from an insurer, containing the designation of the Department as a required recipient of notice of any cancellation, such notice to be delivered within 30 days after the cancellation.

3. An insurance binder, in form satisfactory to the Department, in which instance an additional showing of the type set out in subparagraphs 1. or 2. above, shall be made within 30 days after the application was filed.

4. A certificate of self insurance, issued by the Bureau of Financial Responsibility, an agency of the Department.

(2) An identification device issued under the provisions of this rule shall be used for the purpose of identifying a commercial motor vehicle being operated in compliance with § 207.002(6), F.S. A motor carrier receiving an identifying device under the provisions of this rule shall not knowingly permit the use of the device by any other person or organization, except as specifically allowed under this chapter.

(3) Identifying devices shall be in the form prescribed by the Department, as set out at subsection 15C-12.008(4), F.A.C.

(4) The identification device and cab card issued by the Department shall be carried at all times on the commercial motor vehicle which it identifies and shall be exhibited on demand to any authorized Departmental personnel or to any authorized personnel of any agency as provided in § 207.023, F.S.

(a) If a decal is used, it shall be permanently affixed to the leading edge of the door of the power unit as instructed by the Department in such a manner that it cannot be removed without defacing the decal. The cab card must be kept in the cab of each vehicle.

(b) Transfers of identifying devices and cab cards from one vehicle to another vehicle or from one motor carrier to another motor carrier are prohibited.

(5) When a commercial motor vehicle is removed from service, or sold or transferred to another motor carrier for his own use or ownership, the identifying device and cab card shall be destroyed.

(6) If an identifying device issued to a motor carrier is lost, stolen, accidentally destroyed or defaced, or otherwise becomes illegible, a new device and cab card will be issued upon the written request of the carrier and upon payment of an additional full fee for the registration period. If an identifying device or cab card issued by the Department shall be apparently lost in transit to the carrier, it will be replaced at no fee upon the filing with the Department of an affidavit, certifying such occurrence.

(7) A motor carrier, prior to operating a commercial motor vehicle, must display the required identifying device, or must obtain

an emergency permit, blank trip permit, or annual permit, for each vehicle. An emergency permit or blank trip permit shall exempt the vehicle from the requirement of obtaining an identification device imposed by s. 207.004, F.S., as well as from the payment of motor fuel or special fuel tax imposed by s. 207.003, F.S., during the time for which the emergency or trip permit is valid. This exemption shall apply notwithstanding the generality of the provisions of this chapter otherwise requiring registration, filing or payment; however, the vehicle shall not be exempt from paying the fuel tax on any fuel purchased at the pump. Emergency permits or blank trip permits shall expire at midnight on the 10th calendar day, including the date of issuance. The cost of an emergency permit or blank trip permit shall be \$45.00 each, including Florida licensed vehicles.

(8) A registered motor carrier may, upon payment of the \$45.00 fee, secure blank trip permits from the Department. Before using a blank trip permit, the motor carrier shall insert, in ink or type, on the permit the date the permit shall become effective, the date the permit shall expire, a complete identification of the vehicle to be used, and the name and address of the owner or lessee of the vehicle. The endorsed original permit shall then be carried on the vehicle which it identifies and shall be exhibited on demand to any authorized personnel of any agency as provided in s. 207.023, F.S.

(a) Any permit not completed as outlined above, when presented to enforcement personnel, shall be null and void.

(b) The motor carrier to whom a blank trip permit is issued shall be solely responsible for the proper use of the permit by its employees, consignees, or lessees.

(c) Any erasure, improper alteration, or unauthorized use of such a permit shall render the same invalid.

(d) No motor carrier to whom a blank trip permit is issued shall knowingly allow the permit to be used by any other person or organization, except as allowed under subsection (b).

(9) A motor carrier may, upon payment of the \$45.00 fee, and any applicable service charges, secure an emergency permit which shall be valid for a period expiring at midnight on the 10th calendar day, including the date of issuance. The permit may be obtained by electronic means from a properly designated wire service company under contract with the Department, any applicable transmission charge to be borne by the carrier. The Department shall enter into such contracts with one or more wire service companies who shall post a payment bond in the amount of \$25,000 which bond is otherwise satisfactory to the Department. A single bond may be maintained with the Department by a company qualified under this subsection and qualified to issue trip permits under Chapter 15C-13, F.A.C., of these rules, which bond is in the face amount required under this subsection plus the amount required under such chapter. An emergency permit shall reflect the name and address of the motor carrier to whom it is issued, the date the permit shall become effective and the date it shall expire, a complete identification of the vehicle on which the permit is to be used, and the name and address of the owner or lessee of the vehicle. The original emergency permit shall be carried on the vehicle which it identifies and shall be exhibited on demand to any authorized personnel of any agency as provided in § 207.023, F.S.

(a) The motor carrier to whom an emergency permit is issued shall be solely responsible for the proper use of the permit by its employees, consignees, or lessees.

(b) Any erasure, alteration or unauthorized use of an emergency permit shall render it invalid and of no effect.

(c) The unregistered motor carrier to whom an emergency permit is issued shall not allow the emergency permit to be used by any other person or organization, except as allowed under subsection (a).

(10) A registered motor carrier engaged in driveaway transportation, where the cargo is the vehicle itself and is in transit to stock inventory, and the ownership of the vehicle is not vested in the motor carrier, may, upon payment of \$4.00 each, secure from the Department annual permits for the registration period, or any portion thereof.

(a) An original annual permit must be in the possession of the operator of each vehicle. The permit shall be maintained in the cab of the vehicle furnishing motive power when saddle mounts are used and shall be exhibited on demand to any authorized personnel of any agency as provided in § 207.023, F.S.

(b) Fuel use tax returns must be submitted and road privilege tax paid on all miles operated within this state during the registration period.

(c) The annual permit shall operate as a substitute for the identification device otherwise required for the term of the registration period. All other provisions of this chapter shall apply to annual permit holders.

**15C-12.005 Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements.**

(1) It shall be the duty of all motor carriers registered or required to be registered under Ch. 207, F.S., to make an annual return and to pay any tax liability due under s. 207.003, F.S.

(a) The tax year shall begin on July 1 and shall end on June 30 of the following year.

(b) Annual returns shall be due on July 1 for the preceding tax year.

(c) The Department may from time to time require all motor carriers, or certain motor carriers with common reporting histories, to file quarterly reports and to make quarterly payments. In that event, reports will be due October 1, January 1, April 1 and July 1.

(2) In order for the motor carrier to have adequate time to compile the required data, the report shall not be considered delinquent until 45 days after due date. A report postmarked within 45 days from the due date shall be considered timely filed. If the delinquent date falls on a Saturday, Sunday, or a state or federal holiday, returns shall be considered timely if postmarked on the next succeeding day which is not a Saturday, Sunday, or a state or federal holiday.

(3) All special fuel or motor fuel use taxes shall become due and payable on the date a registered motor carrier ceases to engage in business within the state by reason of the discontinuance, sale, or transfer of the business. Tax reports not filed within the time limit provided in 207.019, F.S., from the date the motor carrier ceases his business shall be delinquent and subject to penalties and interest.

(4) The amount of fuel used may be determined, when the motor carrier maintains adequate records, by applying a ratio of total interstate vehicular consumption of all motor fuel and special fuel used over total miles traveled to the total miles traveled within this state. In the absence of adequate documentation by the motor carrier of fuel used, the Department shall convert miles driven into gallons used at the rate of 5 miles per gallon.

(5) The motor carrier's tax liability shall be calculated by multiplying the total gallons of fuel used by the tax rates provided in Section 207.003, F.S. A credit will be allowed against this tax liability in the amount of tax paid at the time of purchase which is due under Ch. 206, F.S., and Part II, Ch. 212, F.S., during the reporting period. If the tax paid under Ch. 206, F.S., and Part II, Ch. 212, F.S., exceeds the total due, the excess may be allowed as a credit against the tax due during the next succeeding reporting period, or, at the determination of the carrier and subject to the following limitations, shall be refunded:

(a) No refund shall be made unless the carrier shall request, at the indicated place on the return for the tax year in which the payment excess was incurred, that all, but not less than all, of the excess is to be refunded.

(b) No refund of any amount less than \$10.00 shall be made.

(c) Except for amounts required to be treated as credits under paragraph (b) of this subsection, no amount of excess payments may be treated as a credit beyond the tax year immediately following the tax year in which the payment excess was incurred. Notwithstanding the above, no credit or refund shall be allowed in any event in favor of a carrier who shall not, by return filed during the tax year immediately following the tax year in which any payment excess was incurred, request the credit or refund; in the absence of such request the credit or refund amount shall be forfeited.

(6) The Department may require any person liable for any tax imposed by Chapter 207, F.S., to place with the Department, before or after a certificate of registration is issued, a cash deposit, bond, or other security as the Department may determine necessary to secure the payment of any tax, interest or penalty which may become payable.

(a) In making the determination as to whether security should be required and the amount of such security, the Department shall consider and be guided by any or all of the following:

1. The prior history, if any, of the motor carrier's compliance with the provisions of the law;
2. The type of business, including whether the business is transient in nature;
3. The location of the business;
4. The financial status of the motor carrier including the existence of money judgments against the carrier; and
5. The anticipated taxes payable.

(b) The bond required shall be an amount equal to the annual anticipated amount due or the amount of tax, penalty and interest, due for the previous reporting period, whichever is greater. In the case of quarterly filers, the amount shall be based on 6 months anticipated amounts due or an amount due from the previous two reports filed, whichever is greater.

(c) Where a bond is required as a condition to registration or retention of a motor carrier's certificate of registration, the minimum amount of bond shall be \$100.

(d) Bonds shall be furnished by a surety company properly licensed by the State of Florida, in the amount prescribed by the

Department.

~~(e) If any taxpayer is delinquent in the payment of taxes imposed by Chapter 207, F.S., the Department may, after expiration of a ten day notice, proceed against the bond to effect collection of the delinquent taxes, interest and penalties.~~

~~(f) No bond shall be cancelled until after the Department has issued a written release to the surety.~~

~~(g) No interest shall be paid by the state to any person for the deposit of security.~~

*Rulemaking Specific Authority 207.005, 207.011(2) FS. Law Implemented 207.003, 207.004, 207.005, 207.007, 207.015 FS., Ch. 87-198, Laws of Florida. History—New 10-14-82, Amended 10-13-83, Formerly 12B-9.05, Transferred from 12B-9.005, Amended 1-1-90, Repealed \_\_\_\_\_.*

#### **15C-12.006 Reports to be Filed Regardless of Tax or Registration.**

~~All statements or reports required to be filed with the Department shall be filed whether or not any tax is due. A return under this chapter is due from any commercial motor carrier who, with or without authority, operates in this state except those specifically exempted from registration, and, regardless of any applicable exemption, a return is due from any carrier who shall apply for registration during a tax year whether or not registration is completed during the tax year.~~

*Rulemaking Specific Authority 207.011(2) FS. Law Implemented 207.003, 207.004, 207.005, 207.006, 207.015 FS. History—New 10-14-82, Formerly 12B-9.06, Transferred from 12B-9.006, Amended 1-1-90, Repealed \_\_\_\_\_.*

#### **15C-12.007 Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties.**

~~(1) If any motor carrier fails to file a required return or pay any tax liability due within the time required, a delinquency penalty of 10 percent for each 30 days, or portion thereof, on the amount of delinquent tax, but not to exceed 100 percent of the total tax due, shall be required. In no event shall the penalty be less than \$25.00.~~

~~(2) In addition to any other penalties, any delinquent tax payment shall bear interest at the rate of 12 percent per annum from the delinquency date until the date of payment, interest to be calculated daily on the basis of a 365 day year.~~

~~(3) If, in the event of the audit or review of a carrier's tax liability for any tax year, the Department shall determine that taxes, interest or penalties are owed, the Department shall assess the amount owing by letter to the carrier, sent return receipt requested with delivery date recorded, and in that event such assessment shall become final 60 days after delivery with the result that the period during which the carrier may challenge the assessment shall toll as provided under s. 72.011, F.S.~~

~~(4) Each motor carrier, whether or not any tax is due, shall maintain and keep all pertinent records and papers as may be required by the Department for the reasonable administration of Chapter 207, F.S., until expiration of the time within which the department may make an assessment with respect to that tax pursuant to s. 95.091(3), F.S.~~

~~(5) Any person who willfully violates any of the provisions of Chapter 207, F.S., shall be subject to penalties as provided in § 207.007, F.S. For a second or further offense, the Department may revoke or suspend the registration of any violator. Each day or part thereof during which any person engages in illegal operation shall constitute a separate offense under these rules, and the motor carrier shall be required to pay immediately all taxes, penalties, and interest due.~~

*Rulemaking Specific Authority 207.011(2) FS. Law Implemented 207.003, 207.005, 207.006, 207.007, 207.008, 207.012, 207.013, 207.014 FS. History—New 10-14-82, Amended 4-28-83, Formerly 12B-9.07, Transferred from 12B-9.007, Amended 1-1-90, Repealed \_\_\_\_\_.*

#### **15C-12.009 Estimate of Tax Due and Unpaid.**

~~(1) When any tax becomes delinquent, after giving 10 days notice to motor carriers to correct the delinquency, the department shall estimate the amount of taxes, penalties and interest then due from the best information available.~~

~~(2) The department may issue a warrant for the full amount due or estimated to be due, together with penalties and the cost of collection and sale.~~

~~(a) Such warrant may be directed to any sheriff of the state, commanding him to levy upon and sell the goods and chattels of the taxpayer found within his jurisdiction for the payment of such delinquent taxes, penalties, interest, and the costs of collection and sale.~~

(b) A sheriff shall proceed in the manner prescribed by law in respect to warrant execution as he would upon a judgment issued by the circuit court, except as otherwise provided by law.

*Rulemaking Specific Authority 207.011(2), 213.06 FS. Law Implemented 207.012, 207.014 FS. History—New 10-14-82, Amended 4-28-83, Formerly 12B-9.09, Transferred from 12B-9.009, Repealed*

#### **15C-12.010 Change of Address.**

~~A motor carrier shall submit written notice of any change in the location of the motor carrier's principal place of business to the Bureau of Motor Carrier Services, Neil Kirkman Building, Tallahassee, Florida 32399-0626, no later than 10 days prior to such change becoming effective.~~

*Rulemaking Specific Authority 207.011(2) FS. Law Implemented 207.019(4) FS. History—New 10-14-82, Formerly 12B-9.10, Transferred from 12B-9.010, Amended 1-1-90, Repealed*

#### **15C-12.011 Seizure of Vehicle, Other Equipment.**

~~The Department, or its authorized agents, shall seize any conveyance or other vehicle of transportation, any tank, or any other equipment which has been used to illegally evade or avoid any special fuel or motor fuel use tax imposed by this state. Any other personal property that may have been used by any person to illegally evade or avoid any tax or which may have been used to facilitate the illegal evasion or avoidance of any such tax may also be seized. All property so seized shall be safely kept by the sheriff of the county in which seized until disposed of as provided by Section 206.205, F.S.~~

*Rulemaking Specific Authority 207.011(2), 213.06 FS. Law Implemented 207.023(3) FS. History—New 10-14-82, Formerly 12B-9.11, Transferred from 12B-9.011, Repealed*

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

- (1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and
- (2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and
- (3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and
- (a) Are filed not more than 90 days after the notice; or
- (b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or
- (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or
- (d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or
- (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or
- (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

(g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures

Committee that an objection to the rule was considered; or

(h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

(i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15C-13.001: Scope and Authority

15C-13.002: Definitions

15C-13.003: Vehicles Covered

15C-13.004: Plates and Cab Card Required

15C-13.005: Florida Apportioned Plates

15C-13.006: Application

15C-13.007: License Tax

15C-13.008: Renewal Applications; Late Fee

15C-13.009: Supplemental Applications

15C-13.010: Replacement

15C-13.011: Temporary Operational Permits

15C-13.012: Trip Permits; Hunter Permits

15C-13.014: Refunds and Credits; Construction

15C-13.015: Records; Audits

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

Executive Director

Title

Department of Highway Safety and Motor Vehicles  
Agency

5  
Number of Pages Certified

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

CHAPTERS 15C

REPEAL RULES

**RULE NUMBERS: RULE TITLE:**

15C-13.001: Scope and Authority  
15C-13.002: Definitions  
15C-13.003: Vehicles Covered  
15C-13.004: Plates and Cab Card Required  
15C-13.005: Florida Apportioned Plates  
15C-13.006: Application  
15C-13.007: License Tax  
15C-13.008: Renewal Applications; Late Fee  
15C-13.009: Supplemental Applications  
15C-13.010: Replacement  
15C-13.011: Temporary Operational Permits  
15C-13.012: Trip Permits; Hunter Permits  
15C-13.014: Refunds and Credits; Construction  
15C-13.015: Records; Audits

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02, F.S., s. 322.08; F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2), 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12; F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239; F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155 (3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601; F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25; F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125, F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615; F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2), F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005, F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01, F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07 (3) and 320.07(4), F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607, F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3), F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2), F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4), F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15C-13**  
**APPORTIONED LICENSE PLATES FOR COMMERCIAL MOTOR VEHICLES**

**15C-13.001 Scope and Authority.**

~~This chapter governs the administration of apportioned license tags and related requirements for commercial motor vehicles under Chapters 319 and 320, F.S., and the International Registration Plan (IRP), 1988, hereby incorporated by reference. It is promulgated and will be administered by the Department of Highway Safety and Motor Vehicles ("the Department").~~

~~*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed*~~\_\_\_\_\_

**15C-13.002 Definitions.**

~~Terms not specially defined in this section shall have the meaning assigned to them under Chapters 319, 320, F.S., and the IRP. The following terms shall have the meanings assigned below for the purpose of this chapter.~~

~~(1) "Commercial Motor Vehicle" means any vehicle operated on the public highways regardless of the type of fuel consumed, which vehicle: has a gross vehicle weight in excess of 26,000, or has three or more axles regardless of weight, or is used in combination as to which the weight of such combination exceeds 26,000 pounds gross vehicle weight. For the purpose of the definition, the gross vehicle weight shall mean the weight of the vehicle fully equipped, including any trailer coupled thereto, plus the weight of the load carried by the vehicle.~~

~~(2) The "Operation" of a vehicle means its use in any form, whether loaded or empty, whether used for compensation or not for compensation, and whether owned by or leased to the motor carrier who uses it or causes it to be used.~~

~~(3) "Carrier" or "Motor Carrier" means any person operating a motor vehicle regulated under this chapter or any person responsible for compliance under this chapter with respect to the vehicle.~~

~~*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed*~~\_\_\_\_\_

**15C-13.003 Vehicles Covered.**

~~(1) The requirements of this chapter shall apply to all commercial motor vehicles that operate or intend to operate in both this state and at least one other jurisdiction than a member of the IRP compact.~~

~~(2) A carrier wishing to treat a vehicle as exempt because it does not operate in another such jurisdiction shall have the responsibility of proof, as supported by manifests, bills of lading or any other pertinent documents as may be requested by any officer described in s. 207.023, F.S.~~

~~(3) Notwithstanding the foregoing, the following vehicles shall also be exempt from the application of this chapter:~~

~~(a) Vehicles owned by the federal government, or by the government of this state or by any political subdivision or other government entity.~~

~~(b) Vehicles operated exclusively for the purpose of pickup or delivery under contract to a political subdivision.~~

~~(c) A recreational vehicle as defined in s. 320.01, F.S.~~

~~(d) Vehicles operating with a license plate restricted as to geographic area, mileage, or commodities carried, or effective for less than a registration year.~~

~~(e) Buses used exclusively for charter.~~

~~*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed*~~\_\_\_\_\_

**15C-13.004 Plates and Cab Card Required.**

~~(1) Except as specifically allowed under Rule 15C-13.012, F.A.C., and any other provision of this chapter, every vehicle covered under the preceding rule must display an apportioned license plate and carry a cab card conforming with the provisions of this chapter. The apportioned plate is in lieu of the plate otherwise required under Chapter 320, F.S., and any general license plate otherwise required by any other IRP compact jurisdiction.~~

~~(2) The apportioned plate shall have been issued either by this state or by another jurisdiction currently a member of the IRP~~

compact (in either case, the "base jurisdiction"). If the base jurisdiction is other than Florida, the cab card must list this state as a jurisdiction in which the vehicle may operate.

(3) ~~The cab card shall be of the form set out in Rule 15C-13.013, F.A.C., of this chapter, and shall have been issued by the same base jurisdiction issuing the apportioned plate. The cab card shall denote the declared gross vehicle weight if any jurisdiction requiring the same is listed on the card. The cab card shall be kept in the cab of the vehicle to which it pertains, and the card shall be exhibited on demand to any authorized personnel of any agency described in s. 207.023, F.S.~~

(4) ~~As allowed under the IRP compact, certain jurisdictions other than this state have elected to require separate license plates and cab cards to be issued with respect to the power unit and the trailer equipment of certain vehicles. If a carrier shall indicate the intention to operate such a vehicle in any such jurisdiction, such multiple plates and cards for the vehicle shall be issued by the base jurisdiction, and in that event the requirements of this section shall apply to each plate and card pertaining to the vehicle.~~

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed \_\_\_\_\_*

### **15C-13.005 Florida Apportioned Plates.**

(1) ~~A qualified carrier may elect, with respect to any vehicle covered under this chapter, to apply for and be issued an apportioned license plate designated as a Florida plate (a "Florida Apportioned Plate").~~

(2) ~~To qualify under this section, the carrier must: have an established place of business in this state; intend that the vehicle will accrue mileage in this state during the initial period for which the plate is obtained; agree to maintain in this state at the established place of business, or otherwise make available in this state, operational records for the vehicle and all other vehicles authorized to operate in the same group of IRP jurisdictions; and comply with the provisions of Rule 15C-13.006, F.A.C., of this chapter. For the purpose of this subsection, the term "established place of business" shall mean a physical structure owned, leased or rented by the carrier, which structure: shall be designated by a street number or road location; shall be kept open during normal business hours by one or more persons conducting the carrier's business; and shall have within it a telephone publicly listed in the name of the carrier.~~

(3) ~~Florida apportioned plates shall be similar in design to other plates issued by the Department, except that they shall have a distinctive color combination and shall have the word "apportioned" at the bottom in place of the county name.~~

(4) ~~Household goods carriers, using vehicles leased from service representatives, may elect to base such vehicles in the base jurisdiction of the service representative or that of the carrier.~~

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed \_\_\_\_\_*

### **15C-13.006 Application.**

(1) ~~A carrier who wishes to obtain a Florida apportioned plate for one or more vehicles shall submit an application to the Department on form number HSMV 85900, together with the documentation and payment provided in this and the following sections. Such an application may be submitted with respect to more than one vehicle, provided that each vehicle treated in a single application will operate within the same group of IRP jurisdictions.~~

(2) ~~Each application shall be accompanied, with respect to each vehicle covered, by the following:~~

(a) ~~Proof of ownership of the vehicle, which shall consist of one of the following: a copy of its current registration in this state; an in-state title receipt (form HSMV 82041); or copy of out-of-state title and a "VIN" verification form (HSMV 82042), as well as documentation of any outstanding lien including a current authorization letter signed by the lienholder; and, if applicable, a copy of a lease agreement together with documentation from the owner stating that the lessee may make such application.~~

(b) ~~Proof of personal injury protection, and proof of combined bodily injury liability and property damage liability coverage, as are described in paragraph 15C-12.004(1)(d), F.A.C.~~

(c) ~~Proof of payment, for the applicable federal reporting year, of the federal heavy vehicle use tax.~~

(3) ~~The Department retains the right to revoke at any time the registration status and outstanding apportioned plate of an applicant as to which the Department shall possess documentation indicating that the insurance protection required under the preceding subsection at the time of the application is no longer in effect.~~

(4) ~~An owner-operator who leases a vehicle to another may choose to apply for the licensing of the vehicle in either the owner-operator's name or in the name of the lessee. In either event the person in whose name the application is made shall be responsible~~

for maintaining accurate records of the operation of the vehicle. The apportionment of taxes under the following section shall be made according to the records kept by the applicant. The license plate and cab card shall, as between the lease parties, be the property of the applicant.

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed \_\_\_\_\_.*

#### **15C-13.007 License Tax.**

(1) A license tax for each Florida apportioned plate shall be payable for each year beginning December 1 and ending November 30 of the next calendar year (the "registration period"). The tax for a vehicle's apportioned plate shall be prorated over the fraction of the year between the date of application and November 30; if, however, the applicant owes taxes for operating during a period prior to the current application, the prorated amount may be adjusted to include such taxes. If an original application is received later than September 1, the Department may bill the applicant for the total amount due through the end of the next succeeding registration period.

(2) The calculation of the tax for each year shall be based upon the proportion of miles to be traveled by the vehicle in each IRP compact jurisdiction. Each such jurisdiction's mileage figure shall be divided by the total mileage figure to obtain a percentage. That percentage shall be multiplied by that jurisdiction's full amount to determine the total amount due for that jurisdiction.

(3) In the instance of a renewal application, the applicant's mileage for each jurisdiction shall reflect the actual mileage traveled in the jurisdiction during the immediately preceding twelve month period ending June 30. If a jurisdiction is added, as to which the applicant had no actual mileage in the preceding registration period, the estimated mileage assigned to such jurisdiction shall not exceed 50 miles.

(4) The tax imposed by this state and used in the formula for each apportioned plate shall be the tax set out in s. 320.08(4), F.S.

(5) No semi-annual payment of applicable taxes may be made with respect to apportioned plates.

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed \_\_\_\_\_.*

#### **15C-13.008 Renewal Applications; Late Fee.**

(1) The renewal of any Florida apportioned plate shall occur in accordance with the following schedule:

(a) Registrants wishing to renew will complete a renewal form and return it to the Department by September 1 of each registration renewal period.

(b) Renewal applications must be received by November 1 in order to ensure timely receipt of the license plate.

(2) For any vehicle subject to this chapter as to which a renewal application in good form shall not have been received by the Department on or before midnight January 10 for the year beginning the preceding December, and in addition to the imposition of the penalty prescribed under s. 320.07(3), F.S., there shall be imposed an additional delinquent fee at the rates prescribed under s. 320.07(4), F.S. Any such delinquent fee so assessed and paid shall be retained by the state and shall not be apportioned among the IRP compact jurisdictions.

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed \_\_\_\_\_.*

#### **15C-13.009 Supplemental Applications.**

Changes made by a carrier with respect to the operation of vehicles during the registration period, including without limitation the addition of IRP compact jurisdictions in which the vehicle is expected to operate, shall be made by the carrier by application (form HSMV 85900), to be submitted together with all required documentation. After a carrier shall have filed a renewal application for any registration period, it remains the carrier's responsibility to file a supplemental application with respect to any vehicle that shall be added or deleted during the remainder of the current registration period.

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed \_\_\_\_\_.*

### 15C-13.010 Replacement.

~~If a Florida apportioned plate or cab card is lost, stolen, mutilated or otherwise rendered unusable, or if either is lost in transit between the Department and the carrier, the carrier shall file an appropriate affidavit for replacement, the form of which is set out in Rule 15C-13.013, F.A.C., of this chapter. The cost of such replacement shall be \$8.40, and no charge shall be imposed for replacing a license plate or cab card lost in transit.~~

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed \_\_\_\_\_.*

### 15C-13.011 Temporary Operational Permits.

~~(1) In the case of an original application for a Florida apportioned plate, and in circumstances where the applicant can show that the immediate operation of the vehicle is essential, a temporary operational permit may be obtained in lieu of the apportioned license plate.~~

~~(2) Such a permit is available through the Department or through the county tax collector's office, as provided by Section 320.0715(3)(a), F.S.~~

~~(3) The permit is valid for a period of 60 days, including the date of issuance. The original, and not a duplicate or photocopy of the permit, must remain with the vehicle throughout the period of validity.~~

~~(4) A showing of proof of ownership and proof of insurance must be made prior to obtaining a temporary operational permit for a new registration.~~

~~(5) The carrier who has obtained a temporary operational permit must complete form HSMV 85052, application within 10 days after the issuance of the permit, and the fully completed application must use the same carrier designation and declare the same IRP compact jurisdictions as were used when obtaining the temporary permit.~~

~~(6) The Department may refuse a temporary operational permit to any carrier not in compliance with any of the provisions of Chapter 320.0715(3)(c), F.S.~~

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed \_\_\_\_\_.*

### 15C-13.012 Trip Permits; Hunter Permits.

~~(1) Vehicles covered under this chapter as set out in Rule 15C-13.003, F.A.C., but not displaying a valid Florida apportioned plate or temporary operational permit, or a valid apportioned plate issued by another IRP compact jurisdiction, must obtain a permit of one of the types described in this section.~~

~~(2) A motor carrier having a valid plate from any jurisdiction may, upon payment of a \$30.00 fee, and any applicable service charges, secure a trip permit which shall be valid for a period expiring at midnight on the 10th calendar day, including the date of issuance.~~

~~(a) A trip permit shall reflect the name and address of the motor carrier to whom it is issued, the date the permit shall become effective and the date it shall expire, a complete identification of the vehicle on which the permit is to be used, and the name and address of the owner or lessee of the vehicle.~~

~~(b) The original trip permit shall be carried on the vehicle which it identifies and shall be exhibited on demand to any authorized personnel of any agency as provided in s. 207.023, F.S.~~

~~(c) The motor carrier to whom a trip permit is issued shall be solely responsible for the proper use of the permit by its employees, consignees, or lessees.~~

~~(d) Any erasure, alteration or unauthorized use of a trip permit shall render it invalid and of no effect.~~

~~(e) The motor carrier to whom a trip permit is issued shall not allow the permit to be used by any other person or organization.~~

~~(f) The permit may be obtained from the Department or may be obtained by electronic means from a properly designated wire service company under contract with the Department. Any applicable transmission charge will be borne by the carrier.~~

~~(3) A hunter permit, valid for the same period as a trip permit, may be obtained for a fee of \$5.00 plus any wire service cost, provided that the applicant is an owner operator, not operating as a lessor, whose vehicle has a registered gross weight not in excess of the actual unladen weight of the vehicle.~~

~~(4) Any trip or hunter permit must be obtained prior to entry into this state, and must remain with the vehicle at all times. No~~

duplicate or photocopy of such a permit shall constitute a proper display of the permit.

~~(5) In the event that a vehicle covered under this chapter shall operate in the state without satisfying the provisions of this chapter, the appropriate law enforcement authorities may impose the applicable fine set out in s. 316.545, F.S.; and, in addition, require the carrier to purchase, at a cost of \$30.00, a permit allowing operation within the state for the same time period, and upon the same terms and conditions, as a trip permit under subsection (2).~~

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed \_\_\_\_\_.*

#### **15C-13.014 Refunds and Credits; Construction.**

~~(1) In the event of a duplicate issuance of an apportioned plate, or in the event of the overpayment of the amount due under an original registration billing, or in the event that the result of an audit so indicates, the Department shall provide a refund to the applicant, if the refund amount is in excess of \$10.00.~~

~~(2) The carrier is also entitled to a refund from the Department in the event of the destruction of a vehicle or its permanent removal from the state, such refund to be in the amount of the pro rata portion of the annual license tax paid. However, the pro rata portion of the tax retained by Florida may be refunded only if it is more than \$100.00.~~

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed \_\_\_\_\_.*

#### **15C-13.015 Records; Audits.**

~~(1) Each motor carrier shall maintain and keep all pertinent records and papers as may be required by the Department for the reasonable administration of Chapter 320, F.S., until expiration of the time within which the department may make an assessment with respect to that tax pursuant to Section 95.091(3), F.S.~~

~~(2) If, in the event of the audit or review of a carrier's tax liability for any tax year, the Department shall determine that taxes, interest or penalties are owed, the Department shall assess the amount owing by letter to the carrier, sent return receipt requested with delivery date recorded, and in that event such assessment shall become final 60 days after delivery with the result that the period during which the carrier may challenge the assessment shall toll as provided under s. 72.011, F.S.~~

*Rulemaking Specific Authority 320.011 FS. Law Implemented 320.0104, 320.0715 FS. History—New 1-1-90, Repealed \_\_\_\_\_.*

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and

(a) Are filed not more than 90 days after the notice; or

(b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or

(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

(f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or

[ ] (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures

Committee that an objection to the rule was considered; or

[ ] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

[ ] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15C-14.001: Vessel Data Computer Products

15C-14.003: Recordation of Antique Vessel Status

15C-14.004: Vessel Registration by Counties

15C-14.005: Application of Definitions

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

\_\_\_\_\_  
Executive Director  
Title

\_\_\_\_\_  
Department of Highway Safety and Motor Vehicles  
Agency

2

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Number of Pages Certified

DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

CHAPTERS 15C

REPEAL RULES

**RULE NUMBERS: RULE TITLE:**

15C-14.001: Vessel Data Computer Products  
15C-14.003: Recordation of Antique Vessel Status  
15C-14.004: Vessel Registration by Counties  
15C-14.005: Application of Definitions

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
15A-1.001	Applications	Duplicative in s. 322.02, F.S., s. 322.08, F.S.
15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2), 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
15A-1.007	Suspended, Disqualified, or Revoked Licenses; Approval	Duplicative in s. 322.05(3), F.S.
15A-1.011	Service Fee	Duplicative in s. 322.12; F.S.
15A-1.018	Point Determination; Suspensions	Duplicative in s. 240.265, 322.27, 338.239, F.S.
15A-1.020	Duplicate and Replacement Licenses	Duplicative in s. 322.17, & 322.239, F.S.
15A-1.025	Motorcycle Examinations; Written Knowledge Test; Pre-Test Motorcycle Inspection; On-Cycle Skill Test and Applicant Requirements; Scoring Criteria	Duplicative in s. 322.12, F.S.
15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155.(3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25, F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125, F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615; F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2), F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951; F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951, F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2); F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001, F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006; F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005; F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4), F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023, F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s. 320.01; F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07 (3) and 320.07(4); F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607; F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3); F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2); F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s. 320.0715, F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4); F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s. 327.04, F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s. 327.04, F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s. 327.04, F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15C-14**  
**VESSEL REGISTRATION**

**15C-14.001 Vessel Data Computer Products.**

(1) Upon written request, the Department may provide vessel data computer products to a person, provided said person reimburses the Department for the expenses incurred for the programming, printing and mailing of the requested products.

(2) The base data which may be formatted by the Department to generate such computer products includes: the names and addresses of titled owners; citizenship of owners; vessel registration by counties; and vessel descriptions based on make, model year, propulsion, fuel, use, hull material, and length of vessels.

(3) Upon receipt of a written request which details the base data, format, and type of computer product needed by a person, the Department will advise said person as to the programming costs for producing the requested product. This notification also will include:

(a) A statement that the programming costs and all subsequent reimbursements associated with the requested products will be made to the Department by cashier's check or money order.

(b) A statement that all subsequent computer printing and mailing costs including applicable sales tax will be paid prior to the requested products being provided to the person making the request.

(4) Upon receipt of payment for the programming costs, the Department shall print the requested computer product. The person requesting the product then will be notified as to the printing and mailing costs including sales tax. After payment for these costs has been received, the Department shall provide the product to the person.

**(5) Waiver of Costs for Computer Products.**

The Executive Director of the Department or his designee has the authority to waive any or all of the costs for processing computer products. Waiver will be based on the following criteria: (a) the applicant must be a governmental entity which will include, but not be limited to, Federal or State governmental departments, agencies, commissions, or local governmental entities which will include, but not be limited to, counties, cities, special districts; and (b) the applicant must present evidence that the use of the products is of mutual benefit to the governmental entity and the Department or the State of Florida.

*Rulemaking Specific Authority 327.04 FS. Law Implemented 119.07 FS. History—New 2-10-81, Amended 10-16-84, Formerly 16N-33.01, 16N-33.001, 62N-33.001, Repealed*

**15C-14.003 Recordation of Antique Vessel Status.**

(1) The owner of a vessel which meets or exceeds the requirements set forth in Section 327.25(10)(a), Florida Statutes, may record the antique status of his vessel with the Department.

(2) A written request for such recordation shall be made direct to the Bureau. Such request must be submitted with a copy of the vessel's most current certificate of vessel registration issued by a county tax collector in the state and a signed letterhead document from a licensed marine surveyor or a marine surveyor recognized as such by an established antique boat club. This document shall certify that said vessel meets or exceeds the standards established in Section 327.25(10)(a), Florida Statutes.

(3) Upon receipt of a properly documented request, the Bureau will record the vessel's antique status in its vessel titling and registration files and will request the county tax collector in the county where the vessel was last registered to update the vessel's registration file to reflect its antique status. In addition, the Bureau shall provide the owner of such vessel with a special decal signifying the vessel's antique status. Once issued, this decal will remain current for the life of the vessel provided said vessel continues to conform to the definition of an antique vessel. The issuance of said decal shall not exempt an antique vessel from other titling and registration requirements established by the State.

(4) In the event an issued antique decal is lost, destroyed, or mutilated, the owner of the applicable antique vessel may apply to the Bureau for a replacement decal by certifying as to the disposition of the previously issued decal. At the discretion of the Bureau, a replacement decal may be issued.

(5) Notwithstanding the provisions of Section 327.25(10), Florida Statutes, an antique vessel which has been so designated by the Department shall be subject to all provisions of Chapters 327 and 328, Florida Statutes.

*Rulemaking Specific Authority 327.04 FS. Law Implemented 327.25(10) FS. History—New 10-16-84, Formerly 16N-33.03, 16N-33.003, 62N-33.003, Repealed*

#### **15C-14.004 Vessel Registration by Counties.**

~~(1) A county which elects to impose an annual vessel registration fee pursuant to Section 327.22(2), Florida Statutes, shall notify the Department of its intent at least 30 calendar days prior to the activation of the fee. Said notification will include the fee implementation date and the name of the county agent responsible for the collection of the fee.~~

~~(2) The vessel registration period established by a county shall expire annually on the same date as the expiration date established for the registration/reregistration of vessels by the State.~~

~~(3) The county agent authorized to issue the county certificate of registration and/or decal shall remit to the Department all moneys collected for the preservation of manatees pursuant to Section 327.22(2), Florida Statutes. Such remittance shall be made not later than 20 days following the last day of the month in which the moneys were collected. This submission shall be made separate from the submission made for moneys collected as part of the State's vessel titling and registration process.~~

~~(4) Not later than August 15th of each year, the county agent who collected a county vessel registration fee for the previous year shall provide the Department with a written certification as to the total number of county vessel registrations sold during the previous registration period. In addition, the Certified Public Accountant who conducts the county's annual audit will be required by the county to make a certification to the Department as to the total number of county vessel registrations which were sold during the previous year. This certification shall be submitted to the Department within 30 days of the date the final county audit is published.~~

~~(5) In the event a county issues a vessel decal to validate the payment of the county registration fee, said decal shall be affixed at least 12 inches away from any state or federally issued numbers or decals. In no event shall a county vessel registration number be affixed to a state registered vessel.~~

*Rulemaking Specific Authority 327.04 FS. Law Implemented 327.22(2) FS. History—New 10-16-84, Formerly 16N-33.04, 16N-33.004, 62N-33.004, Repealed \_\_\_\_\_.*

#### **15C-14.005 Application of Definitions.**

~~(1) "Computer Products" means listings, mailing labels and tapes generated by a computer which depict vessel titling and registration data maintained as public record by the Department.~~

~~(2) "Marine Surveyor" means a person whose profession is to analyze and determine the age, condition and value of marine equipment. Said person shall hold a valid commercial or occupational license issued by a local governmental entity in the State or be recognized as a marine surveyor by an established antique boat club.~~

*Rulemaking Specific Authority 327.04 FS. Law Implemented 327.02 FS. History—New 10-16-84, Formerly 16N-33.05, 16N-33.005, 62N-33.005, Repealed \_\_\_\_\_.*

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

(1) That all statutory rulemaking requirements of Chapter 120, F.S., have been complied with; and

(2) There is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and

(3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and

(a) Are filed not more than 90 days after the notice; or

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(c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or

(d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or

(e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or

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Committee that an objection to the rule was considered; or

[ ] (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

[ ] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

15C-15.002: Inspection of Homemade Vessels

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

\_\_\_\_\_  
Executive Director

Title

Department of Highway Safety and Motor Vehicles  
Agency

1  
Number of Pages Certified

**DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES**

**CHAPTERS 15C**

**REPEAL RULES**

**RULE NUMBERS: RULE TITLE:**

15C-15.002: Inspection of Homemade Vessels

Summary of Rule

These rules were identified during the comprehensive rule review as containing provisions that are no longer applicable, are antiquated, or are duplicative, and, thus, are appropriate for repeal.

Statement of Facts and Circumstances Justifying the Rule

In light of the Governor's Comprehensive Rule Review (Executive Order 11-72) and the Enhanced Biennial Review (s. 120.745, F.S.), the Department has conducted a review of all of its administrative rules and has identified many candidates for repeal across Chapters 15A, 15B, and 15C. In almost all cases, the rule proposed for repeal is either duplicative of existing statutory language, or authority for the rule has been repealed. A chart is attached to this notice as Exhibit 1, to further explain the agency's decision to propose repeal of each rule. The proposed repeals do not appear to require a Statement of Estimated Regulatory Costs, nor do they appear to require legislative ratification.

Federal Standards Statement

The proposed repeals do not appear to implicate or otherwise relate to federal standards or rules.

Summary of Hearing

The proposed rules were noticed in the May 4, 2012, Florida Administrative Weekly, Volume 38, Number 18, setting out a Public Hearing for May 29, 2012. No request for a hearing was received by the agency, and no hearing was held.

Rule	Title	Comments
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15A-1.0011	Definitions	Duplicative in s. 322.02, F.S.
15A-1.0012	Identification and Proof of Date of Birth Required for Driver License or Identification Card	Duplicative in s. 322.051, 322.08 (2), 322.09(1)(b), F.S.
15A-1.002	Restricted Licenses	Duplicative in s. 322.05, 322.16, F.S.
15A-1.006	Identification Cards	Duplicative in s. 322.051, F.S.
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15A-1.029	Distribution of Organ Donor Registration Forms	Duplicative; current law allows for electronic online registry, and deck cards in 765.5155 (3)(a) F.S.
15A-1.0291	Organ Donor Registration Form	Duplicative in s. 765.514, F.S.
15A-1.0292	Funding of an Organ Donor Program	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0293	Donor Registry	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0294	Donor Identification	Authorizing statute repealed; s. 732.915, 732.921, F.S.
15A-1.0295	Donor Withdrawal	Unnecessary; Authorizing statute repealed.
15A-1.0297	School Attendance Required for Licensed Drivers Between 15 - 18 Years of Age	Duplicative in ss. 322.09 and 322.0601, F.S.
15A-1.0298	Insulin Dependent Diabetics License Issuance	Duplicative in s. 322.141, F.S.
15A-1.0299	Examination, Temporary Driving Permit & Driver's license Denial	Duplicative in ss. 322.05, 322.12, 322.121, 322.25, F.S.
15A-3.009	Insurance Binders for Purpose of Vehicle Registration	Duplicative in s. 324.021, 324.031, 320.02(5), F.S.
15A-5.0011	Functions and Responsibilities	Duplicative in s. 322.125; F.S.
15A-5.003	Seizure Disorders	Duplicative in Rule 15A-5.002
15B-1.001	Safety Glazing Material; Specifications	Authorizing statute repealed; s. 320.062, F.S.
15B-1.006	Motorcycle Safety Helmets	Duplicative in s. 316.211, F.S.
15B-4.001	Specifications and Regulations for All Nonpublic School Buses in Operation on, or Purchased Before, July 1, 1969, Twenty-four (24) Passenger Capacity and Up	Duplicative in s. 316.615; F.S.
15B-5.001	Warranty on Sale and Titling of Motor Vehicles Absorption System; Certificate Filed with Department	Authorizing statute repealed; s. 325.26, F.S.
15B-6.001	Charges for Accident Photographs	Duplicative in s. 321.23, F.S.
15C-1.002	Goat Tags, Requirement for	Duplicative in s. 320.08(3)(d), F.S.
15C-1.009	Automobiles for Private Use; Definitions	Duplicative in ss. 320.01(1)(a) and 320.08(2) F.S.
15C-1.0110	Rule Review	Duplicative of the requirements of Chapter 120, F.S.
15C-2.001	Manufacturer and Dealer Licensing	Duplicative in ss. 320.77 and 320.771, F.S.; 320.8225, F.S.
15C-2.0041	Van Conversions	Duplicative in s. 320.01(1)(b)6., F.S.
15C-2.009	General	Duplicative in ss. 320.822(2) and 320.823, F.S.
15C-2.010	Forms	Unnecessary; Due to DOS form incorporation requirements.

Rule	Title	Comments
15C-8.001	Purpose and Scope	Authorizing statute amended to exclude need for rule in s. 316.1951;F.S.
15C-8.002	Written Notice, Content	Authorizing statute amended to exclude need for rule in s. 316.1951,F.S.
15C-8.003	Copy of Written Notice	Authorizing statute amended to exclude need for rule in s. 316.1951,F.S.
15C-12.001	Scope of Rules	Authority provided in Chapter 207, F.S., related to the International Fuel Tax Agreement.
15C-12.002	Definitions	Duplicative in s. 207.011 (2),F.S.; administered under International Fuel Tax Agreement
15C-12.003	Privilege Tax Imposed	Duplicative in s. 207.004, F.S.
15C-12.004	Procedures for Registration	Duplicative in s. 207.011 (2), F.S.
15C-12.005	Payment of Tax; Delinquencies; Discontinuance, Transfer or Sale of Business; Calculation of Fuel Used; Credits or Refunds; Forfeitures; Bonding Requirements	Duplicative of ss. 207.001,F.S. scheme delineated in the statutes titled, "Florida Diesel Fuel and Motor Fuel Use Tax Act"
15C-12.006	Reports to be Filed Regardless of Tax or Registration	Duplicative in s. 207.006, F.S.
15C-12.007	Penalties and Interest for Untimely Filing; References to Amounts in Rules; When Assessments Final; Maintenance of Records; Other Penalties	Duplicative in s. 207.007, F.S.
15C-12.009	Estimate of Tax Due and Unpaid	Duplicative in s. 207.005;F.S.
15C-12.010	Change of Address	Duplicative in s. 207.019(4),F.S.
15C-12.011	Seizure of Vehicle, Other Equipment	Duplicative in s. 207.023,F.S.
15C-13.001	Scope and Authority	Duplicative in s. 320.03(7), F.S.
15C-13.002	Definitions	Duplicative in s.320.01;F.S.
15C-13.003	Vehicles Covered	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s.320.0715,F.S.
15C-13.004	Plates and Cab Card Required	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s.320.0715;F.S.
15C-13.005	Florida Apportioned Plates	Duplicative in s. 320.06(3) F.S.
15C-13.006	Application	Duplicative in s. 320, F.S.
15C-13.007	License Tax	Duplicative in ss. 320.03, F.S. and 320.08(4), F.S.
15C-13.008	Renewal Applications; Late Fee	Duplicative in s. 320.07 (3) and 320.07(4);F.S.
15C-13.009	Supplemental Applications	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s.320.0715,F.S.
15C-13.010	Replacement	Duplicative in s. 320.0607,F.S.
15C-13.011	Temporary Operational Permits	Duplicative in s. 320.0715(3),F.S.
15C-13.012	Trip Permits; Hunter Permits	Duplicative in s. 320.0715(2),F.S.
15C-13.014	Refunds and Credits; Construction	Duplicative; Apportioned vehicles now authorized in Federal International Registration Plan in s.320.0715,F.S.
15C-13.015	Records; Audits	Duplicative in s. 320.0715(4),F.S.
15C-14.001	Vessel Data Computer Products	Duplicative in s. 119.07, F.S.
15C-14.003	Recordation of Antique Vessel Status	Authorizing statute repealed; s.327.04,F.S.
15C-14.004	Vessel Registration by Counties	Authorizing statute repealed; s.327.04,F.S.
15C-14.005	Application of Definitions	Authorizing statute repealed; s.327.04,F.S.
15C-15.002	Inspection of Homemade Vessels	Duplicative in s. 328.01(2)(c), F.S.;

**CHAPTER 15C-15**  
**VESSEL TITLING**

**15C-15.002 Inspection of Homemade Vessels.**

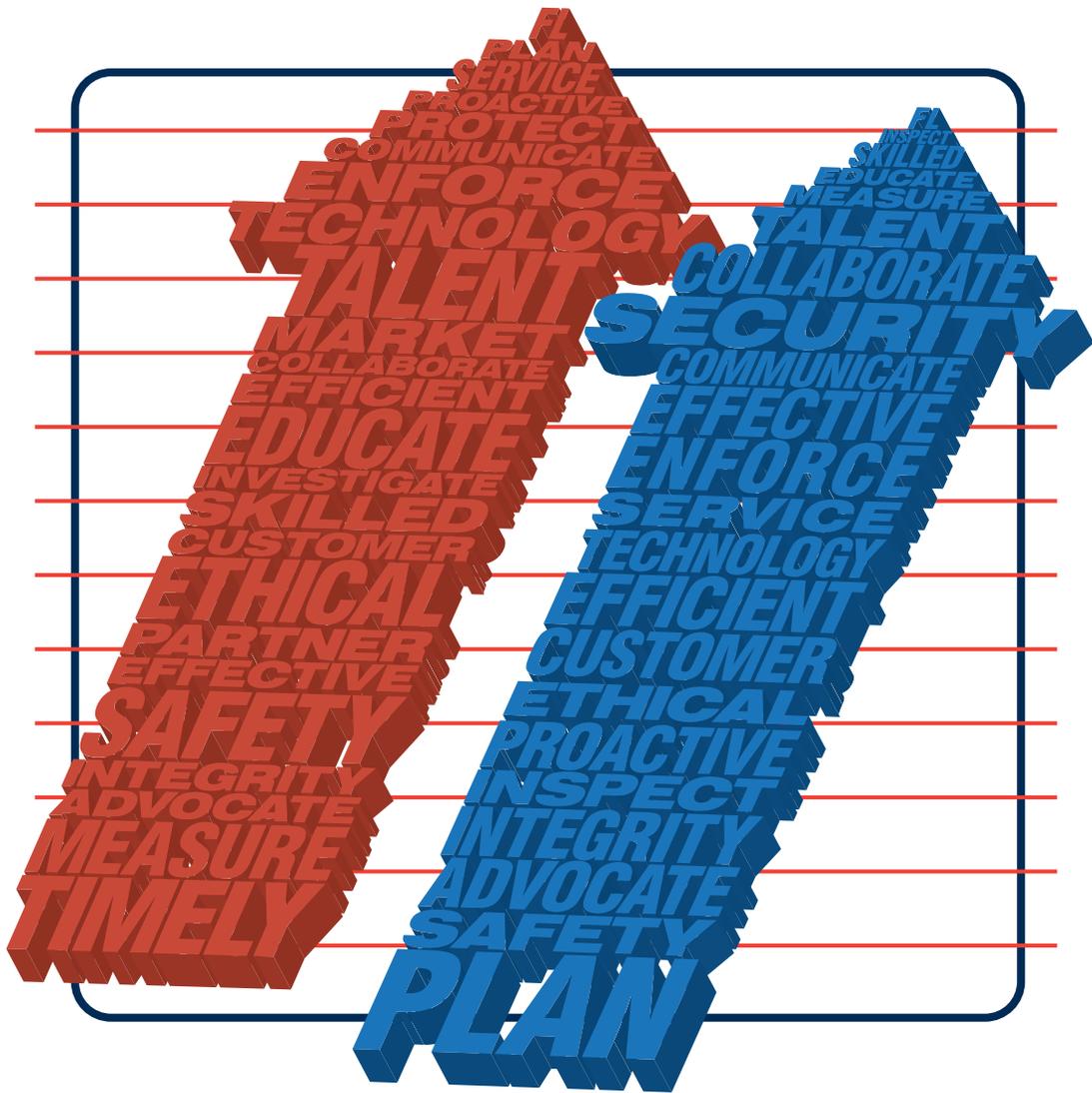
~~(1) No application for the initial titling of a homemade vessel 16 feet in length or more shall be accepted by a county tax collector unless the owner of the vessel provides as part of the title application process a properly executed Certificate of Inspection and a notarized Statement of Builder. The Certificate of Inspection shall be on a form supplied by the Department, as provided in Rule 15C-15.004, F.A.C. The Statement of Builder shall be made on DEP Form 10-T-2(16) supplied by the Department. In the event a notarized Statement of Builder was not issued as the original documentation of ownership, the Department may accept a properly executed Builder's Certificate as authorized by the United States Coast Guard.~~

~~(2) The Department shall provide each county tax collector with an adequate supply of the forms required by subsection 15C-15.002(1), F.A.C. In addition, said forms shall be available through the Bureau, as well as at each district office of the division and at each regional office of the Fish and Wildlife Conservation Commission.~~

~~(3) The owner of a homemade vessel for which an inspection is required shall contact the nearest district office of the division or nearest regional office of the Fish and Wildlife Conservation Commission to arrange for the physical inspection of the vessel. At the time of inspection, the applicant shall provide the inspecting officer with an executed Statement of Builder completed by the vessel builder or a Builder's Certificate issued for the vessel. Said inspection shall be accomplished at a place, date, and time which is mutually acceptable.~~

~~(4) Upon satisfactory completion of the required inspection, the inspecting law enforcement officer shall execute the Certificate of Inspection in triplicate. The original signed copy shall be provided to the title applicant. The second copy shall be mailed under separate cover within 48 hours of the inspection to the Bureau by the applicable district or regional supervisor. This copy will be used by the Bureau to validate the original copy submitted by the applicant through the county tax collector. The third copy will be retained in file at the applicable district or regional office of the inspecting officer.~~

*Rulemaking Specific Authority 327.04 FS. Law Implemented 328.01(6) FS. History—New 10-16-84, Formerly 16N-34.02, 16N-34.002, 62N-34.002, Repealed \_\_\_\_\_.*



# Annual Performance Contract

**Fiscal Year • 2012 - 2013**



Julie L. Jones: Executive Director



June 26, 2012

Executive Director's Message:

Strategic planning and performance management are more than concepts at the Department of Highway Safety and Motor Vehicles. They drive the way we do business each and every day. By updating our annual goals, objectives and strategies, we are able to create a roadmap for our Department's future success. The critical element of the process is found in our willingness and ability to establish specific performance measures and standards to evaluate our performance and report it to the public.

This *Annual Performance Contract* contains 37 specific performance measures and standards by which the Department will hold itself accountable during the 2012-13 fiscal year. Each measure links to one or more of our goals and objectives, and represents our continuing commitment to accomplishing our mission of providing safety and security through excellence in service, education and enforcement. The Department will report our performance to the Governor, Cabinet and the public each quarter, to include an annual report at the conclusion of the fiscal year.

DHSMV has the unique opportunity to touch the lives of millions of Florida residents and visitors each year. With approximately 4,500 members statewide and a significant network of service delivery partners and stakeholders, we realize that we have an opportunity to make Florida a safer place to live, work and play. A safer Florida – It's a vision of the future we can all live with.

Julie Jones  
Executive Director

**PUBLIC SAFETY – *Protect the lives and security of our residents and visitors through enforcement, service and education.***

<b>A. Highway crashes</b>	<b>ANNUAL STANDARD</b>
1. % change in highway fatalities to previous year	0% or reduction
2. % change in highway crashes to previous year	0% or reduction
3. % change in highway injuries to previous year	0% or reduction
4. % change in teen drivers involved in fatal crashes to previous year	0% or reduction
5. % change in alcohol-related fatalities to previous year	0% or reduction
6. % change in commercial vehicle crashes to previous year	1.3% or greater reduction
<b>B. Highway safety education and enforcement</b>	
7. % of duty hours spent on patrol and investigation activities	72%
8. Number of highway safety education hours provided	7,500
9. Number of safety education and enforcement marketing related activities	12
10. Number of commercial vehicle inspections performed	79,380
11. % of insured motorists	95%
<b>C. Criminal Investigations</b>	
12. % of criminal investigation cases completed within 90 days	72%
13. % of field intelligence reports reviewed, analyzed and adjudicated within 30 days	90%
14. % of vetted intelligence information that is shared with the intelligence community within 7 days	80%

**RELIABLE SERVICE DELIVERY – *Provide efficient and effective services that exceed the expectations of our customers and stakeholders.***

<b>A. Motorist transactions successfully completed</b>	
15. % of registration transactions successfully completed	95%
16. % of title transactions successfully completed	90%
17. % of driver license and identification card transactions successfully completed	98%
18. % of disabled parking permit transactions successfully completed	98%
<b>B. Customer services completed timely</b>	
19. % of calls for service responded to by FHP within 30 minutes	65%
20. % of driver license office customers waiting 30 minutes or less for service	95%
21. % of titles issued within 3 workdays of request	98%
22. % change in average wait time for Customer Service Center calls to previous year	5% or greater reduction
23. % of business licenses issued timely	98%
<b>C. Customer Satisfaction</b>	
24. % of customers that rate services as satisfactory or better	85%

**LEVERAGE TECHNOLOGY – Build upon the department’s successful integration of technology into the way we do business.**

<b>A. Customer Technology Use</b>	<b>ANNUAL STANDARD</b>
25. % of customers being served via internet	20%
26. % of motor vehicle and vessel titles issued electronically	35%
27. % of IFTA tax returns and IRP transactions processed electronically	10%
<b>B. New Technology Projects</b>	
28. % of new projects developed and implemented successfully	95%
29. % of time dedicated to research and development	10%
<b>C. Computer support uptime available to our partners</b>	
30. % of Mainframe system uptime	99.9%
31. % of Oracle uptime	99.9%
32. % of SQL server uptime	99.9%
33. % of Customer Information Control System (CICS) uptime	99.9%
34. Effectiveness of data and systems security preventative measures	100%
<b>TALENT CREATION AND DEVELOPMENT – Build a business environment that regards our members as our most valuable resource.</b>	
35. % of members who rate job satisfaction as satisfactory or better	75%
36. Increase participation in leadership training programs	5% or greater
37. Increase % of positions filled by internal promotion	1% or greater