

July 9, 2019

TO: Colonel Gene Spaulding, Florida Highway Patrol
Head of City, County and State Traffic Enforcement Agencies
County Court Judges
State Attorneys
Clerks of the Court
Tax Collectors
Florida Association of Counties
Florida League of Cities

FROM: Jennifer Langston
Legislative Affairs Director

SUBJECT: 2019 Legislation Affecting Traffic and Motor Vehicle Laws

The following memorandum is a courtesy summary of the legislative changes relevant to the department and its stakeholders enacted during the 2019 Legislative Session. **The Department of Highway Safety and Motor Vehicles (FLHSMV) respectfully recommends that your agency carefully review the complete version of any statutory changes prior to revising any policies or operational protocols.**

Bills may be obtained from the Department of State, the distribution offices of the Florida House and Senate, or Florida Legislature official website at www.leg.state.fl.us. Links to the Chapter Laws are embedded within the document. Please do not hesitate to contact FLHSMV, Office of Legislative Affairs at 850-617-3195, or email LADhelp@flhsmv.gov if you need additional assistance.

Cc: FHP Command Staff
Florida Police Chiefs Association
Florida Sheriffs Association
Chief Cabinet Aides

The following bills became effective upon becoming law:

Ch. Law 2019-001 – Medical Use of Marijuana (SB 182 - Brandes)

Effects or Creates the following Florida Statutes: 381.986, 381.987, 1004.4351

- Removes language from the definition of “medical use” of marijuana (cannabis) indicating that medical use does not include the possession, use, or administration of marijuana in a form for smoking or the possession, use, or administration of marijuana flower except for flower in a sealed, tamper-proof receptacle for vaping. This eliminates the prohibition against the smoking of medical marijuana.
- Specifies low-THC cannabis may not be smoked in public and prohibits the medical use of marijuana by smoking in an “enclosed indoor workplace,” as defined in the Florida Clean Indoor Air Act.
- Permits a qualified patient and his or her caregiver to purchase and possess delivery devices for the medical use of marijuana by smoking from a vendor that is not a medical marijuana treatment center (MMTC).
- Requires a physician who certifies a patient to use smokable marijuana to submit specified documentation to the Board of Medicine or the Board of Osteopathic Medicine, as applicable. Each board must review the documentation submitted and establish practice standards for the certification of smokable marijuana in rule by July 1, 2021.
- Prohibits the certification of marijuana for medical use by smoking to patients under the age of 18 unless patient is diagnosed with a terminal condition. For terminal patients under the age of 18, the bill requires a qualified physician to certify that smoking is the most effective means of administering medical marijuana to the patient, and a second physician, who is a board-certified pediatrician, must concur with this determination. The certifying physician must obtain written informed consent from the patient’s parent or legal guardian and must use a standardized consent form adopted in rule by the applicable board.
- Requires that the risks specifically associated with smoking marijuana must be included in the informed consent each patient must sign prior to being certified to receive medical marijuana.
- Specifies that a physician may not certify more than six 35-day supplies of marijuana in a form for smoking. A 35-day supply may not exceed 2.5 ounces, and a patient may not possess more than four total ounces at any one time. A physician may request the DOH to authorize an exception to the supply and possession limits.
- Provides an exception to the one-to-one caregiver-to-patient limit for patients that are participating in a research program established at a teaching nursing home. Also requires the Consortium for Medical Marijuana Clinical Outcomes Research to 2019 Summary of Legislation Passed Committee on Health Policy collaborate with teaching nursing homes and allows the consortium to award funds to a teaching nursing home for research on the medical use of marijuana to alleviate conditions related to chronic disease and aging.
- Restricts wrapping papers sold by an MMTC from being made from tobacco or hemp, specifies packaging and warning label requirements for medical marijuana intended for smoking, and requires the DOH to establish requirements for marijuana delivery devices sold from an MMTC.
- Provides that s. 381.986, F.S., does not impair the ability of a private party to restrict or limit smoking or vaping on his or her private property and does not prohibit the medical

use of marijuana in a nursing home, hospice, or assisted living facility if the facility's policies do not prohibit the medical use of marijuana.

- Renames the “Coalition for Medical Marijuana Research and Education” as the “Consortium for Medical Marijuana Clinical Outcomes Research.” The Consortium is to be housed in a state university designated by the consortium’s board of governors and must annually adopt a plan for medical marijuana research. The plan must organize a program of research that contributes to the body of scientific knowledge on the effects of the medical use of marijuana, and informs both policy and medical practice related to the treatment of debilitating medical conditions with marijuana.

Effective 03/18/2019

Ch. Law 2019-022 – Implementation of Legislative Recommendations of the Marjory Stoneman Douglas High School Public Safety Commission (SB 7030 - Education)

Effects or Creates the following Florida Statutes: 30.15, 843.08, 921.0022, 943.03, 1001.1, 1001.11, 1002.33, 1003.25, 1006.07, 1006.12, 1006.13, 1011.62, 943.082, 1001.212, 1006.1493

Amends the school safety and security foundation by addressing the school safety and security recommendations of the Marjory Stoneman Douglas High School Public Safety Commission.

- Establishes workgroup to review campus hardening policies and recommend a prioritized list of strategies for implementation and related policy and funding enhancements.
- Prioritizes the use of the school security risk assessment tool to be conducted in collaboration with public safety agencies.
- Expands the personnel who may serve as a school district’s school safety specialist to include law enforcement officers employed by the local sheriff’s office.
- Expands school district options and eligibility for participation in the Coach Aaron Feis Guardian Program, and expands options for school guardian training by sheriffs, requiring consultation with the Florida Department of Law Enforcement.
- Requires improved school safety incident reporting.
- Promotes the FortifyFL mobile suspicious activity reporting tool.
- Expedites services for students with mental or behavioral disorders.
- Requires active assailant response plans.
- Establishes a standardizing behavioral threat assessment instrument for school districts and charter schools.
- Establishes a workgroup to make recommendations regarding the development of a statewide threat assessment database.
- Expands the data sources included in the centralized integrated data repository.
- Expands the authorized uses of the mental health assistance allocation, provides school district flexibility for expenditures, and requires a program and expenditure plan for school districts and charter schools.
- Criminalizes the false personation of a school guardian.

Effective 05/08/2019

Ch. Law 2019-041 – Public Records for Department of Lottery (HB 7121 - Ingoglia)

Effects or Creates the following Florida Statutes: 24.105, 24.118, 24.1051

Creates public record exemptions for the Department of the Lottery, and clarifies certain information held by the department is confidential and exempt from public records requirements.

Effective 05/14/2019

Ch. Law 2019-042 – Taxation (HB 7123 - Avila)

Effects or Creates the following Florida Statutes: 28.241, 195.096, 201.02, 212.031, 212.08, 318.14, 318.15, 337.401, 624.51055, 741.01, 1002.395, 1011.71, 218.131, 193.4517

Increases the discount from 9% to 18% on civil penalties for traffic citations if the violator attends a driver improvement course, creates a refund for fuel taxes paid for agricultural shipment or debris removal from agricultural properties in counties affected by Hurricane Michael.

Effective 05/15/2019

Ch. Law 2019-046 – Public Records of Victim of Mass Violence (HB 186 - Lee)

Effects or Creates the following Florida Statutes: 119.071, 406.136

Retains an existing public record exemption providing that a photograph or video or audio recording that depicts or records the killing of a law enforcement officer who was acting in accordance with his or her official duties is confidential and exempt from public disclosure. Creates a new public records exemption which provides that a photograph or video or audio recording that depicts or records the killing of a victim of mass violence is confidential and exempt from public disclosure. The existing exemption and the new exemption only apply to photographs and video and audio recordings held by an agency.

Defines the term “killing of a victim of mass violence” as events that depict either a victim being killed or the body of a victim killed in an incident in which three or more persons, not including the perpetrator, are killed by the perpetrator of an intentional act of violence.

Retains provisions relevant to the existing exemption and applies them to the new exemption, including:

- Specifying who may obtain such photograph or video or audio recording, the process of obtaining them pursuant to a court order when good cause is shown, and factors a court must consider in determining good cause.
- Providing that it is a third-degree felony for any custodian of such photograph or video or audio recording to willfully and knowingly violate exemption requirements.
- Specifying that the exemption is retroactive and applies to all such photographs or video or audio recordings.
- Providing that the exemption does not overturn, abrogate or alter any existing orders duly entered into by any court of this state, as of the effective date of this act, which restrict or limit access to such photographs or video or audio recordings.

Also specifies that a surviving spouse, parent, or adult child of the victim is not precluded from sharing or publicly releasing such photograph or video or audio recording.

Effective 05/23/2019

Ch. Law 2019-063 – Criminal Statutes (SB 1656 - Lee)

Effects or Creates the following Florida Statutes: 775.022

Creates a savings statute for criminal laws which provides that unless expressly intended by the Legislature, an amendment, reenactment, or revision of a criminal statute does not affect or abate:

- The prior operation of the statute or a prosecution or enforcement under the statute.
- A violation of the statute based on any act or omission occurring before the effective date of the act.
- A prior penalty, forfeiture, or punishment incurred or imposed under the statute.

Provides that a reenactment or amendment of a criminal statute which reduces a penalty, forfeiture, or punishment must be applied retroactively in a case in which a penalty, forfeiture, or punishment has not been imposed. Provides that new defenses will be available to a defendant through the appellate process unless the defendant's conviction was affirmed before the new defense took effect.

Effective 06/07/2019

Ch. Law 2019-067 – Judicial Process (SB 91 - Altman)

Effects or Creates the following Florida Statutes: 48.021, 48.031, 48.062, 48.194, 48.21, 48.23, 316.29545

Exempts vehicles owned or leased by certified process servers from window tint restrictions.

Effective 06/07/2019

Ch. Law 2019-166 – Controlled Substances (HB 7107 - Sabatini)

Effects or Creates the following Florida Statutes: 817.563, 831.31, 893.02, 893.03, 893.07, 893.13

Classifies Epidiolex, a prescription cannabidiol, a non-psychoactive compound derived from the cannabis plant, which is used to treat seizures associated with Lennox-Gastaut syndrome or Dravet syndrome, as a Schedule V controlled substance, mirroring federal law.

Effective 06/28/2019

The following bills take effect July 1, 2019:

Transportation Facility Designation – Officer Lance Christian Whitaker Highway (SB 64 - Gibson)

Designates a portion of I-295 in Duval County as the “Officer Lance Christian Whitaker Highway” and directs FDOT to erect suitable markers.

Effective 07/01/2019

Ch. Law 2019-012 – Public Record for Civilian Personnel Employed by a Law Enforcement Agency (SB 248 - Hooper)

Effects or Creates the following Florida Statutes: 119.071

Defines the term ‘home addresses’ for the purposes of public records exemptions. Creates a new public record exemption for home address, telephone numbers, dates of birth, photographs, and

places of employment of active or former civilian personnel employed by a law enforcement agency and their families.

Effective 07/01/2019

Ch. Law 2019-014 – Vaping (SB 7012 - Innovation, Industry, and Technology)

Effects or Creates the following Florida Statutes: 386.202, 386.203, 386.204, 386.2045, 386.205, 386.206, 386.207, 386.208, 386.209, 386.211, 386.212, 386.2125, 561.695

Implements Amendment 9 to the Florida Constitution, approved by Florida voters, to ban the use of vapor-generating electronic devices (vaping), such as electronic cigarettes (e-cigarettes), in enclosed indoor workplaces. Grants authority to local governments to adopt more restrictive local ordinances on the use of vapor-generating electronic devices.

Permits vaping under certain requirements, including:

- In the enclosed indoor workplace of “vapor-generating device retailer” or “retail vape shop”, which is defined as “any enclosed indoor workplace dedicated to or predominantly for the retail sale of vapor-generating electronic devices and components, parts, and accessories for such products, in which the sale of other products or services is merely incidental.”
- The same locations currently authorized to permit tobacco smoking (non-commercial private residences, stand-alone bars, designated rooms in hotels and other public lodging establishments, retail tobacco shops, facilities owned or leased by a membership association, smoking cessation programs, medical or scientific research, and customs smoking rooms in airport in-transit lounges).

Effective 07/01/2019

Ch. Law 2019-019 – Off-highway Vehicles (SB 310 - Perry)

Effects or Creates the following Florida Statutes: 261.03, 316.2074, 316.2123, 216.21265, 317.0003

Redefines the terms ATV (All-Terrain Vehicle) and ROV (Recreational Off-highway Vehicle) to increase the authorized width and weight of the vehicle. Increases the vehicle width of an ATV to 55 inches or less (up from 50) and the dry weight to 1,500 pounds or less (up from 1,200). Increases the vehicle width of an ROV to 80 inches or less (up from 65) and the dry weight to 2,500 pounds or less (up from 2,000).

Continues to prohibit the use of these vehicles on public roads or streets, unless allowed by law.

Effective 07/01/2019

Ch. Law 2019-024 – Death Benefits (SB 7098 - Governmental Oversight and Accountability)

Effects or Creates the following Florida Statutes: 112.19, 112.191, 250.34, 295.01, 112.1912, 295.061

Implements Amendment 7 of the State Constitution to require the payment of death benefits to the survivors of certain first responders, Florida National Guard members, and members of the United States Armed Forces.

Expands the death benefits currently provided to Florida National Guard members on state active duty, firefighters, law enforcement, correctional, and correctional probation officers, paramedics, and emergency medical technicians to:

- \$75,000 when the member is accidentally killed or receives accidental bodily injury that results in the loss of the individual's life.
- An additional \$75,000 when the member is accidentally killed in the above manner and meets additional requirements, such as the accidental death occurs as a result of the response to an emergency.
- \$225,000 when the member is unlawfully and intentionally killed or dies as a result of an unlawful and intentional act while engaged in the performance of official duties.

Expands benefits for certain educational expenses of surviving spouses and children of firefighters, law enforcement officers, correctional officers, correctional probation officers, paramedics, emergency medical technicians and Florida National Guard members who are accidentally killed or receive accidental bodily injury resulting in loss of life.

Effective 07/01/2019

Ch. Law 2019-039 – Public Records for Petitions for Certain Protective Injunctions (HB 845 - Andrade)

Effects or Creates the following Florida Statutes: 119.0714

Creates a public record exemption for any information used to identify a petitioner or respondent in a protective injunction against domestic violence, repeat violence, dating violence, sexual violence, stalking, or cyberstalking, and any affidavits, notice of hearing, and temporary injunction until the respondent has been personally served.

Effective 07/01/2019

Ch. Law 2019-043 – Transportation (SB 7068 - Infrastructure and Security)

Effects or Creates the following Florida Statutes: 320.08, 334.044, 339.0801, 339.1373, 338.2278, 337.1101

Creates the Multi-use Corridors of Regional Economic Significance Program within the Florida Department of Transportation (FDOT). The program is designed to advance construction of regional corridors that will accommodate multiple modes of transportation and multiple types of infrastructure. The program is composed of the following corridors:

- Southwest-Central Florida Connector, extending from Collier County to Polk County.
- Suncoast Connector, extending from Citrus County to Jefferson County.
- Northern Turnpike Connector, extending from the northern terminus of the Florida Turnpike northwest to the Suncoast Parkway.

Projects undertaken in the corridors must be tolled facilities, or approved turnpike projects that are part of the turnpike system.

Effective 07/01/2019

Ch. Law 2019-044 – Wireless Communications While Driving (HB 107 – Toledo)

Effects or Creates the following Florida Statutes: 316.305, 36.306

Prohibits a person from texting, emailing, and instant messaging while driving for the purpose of nonvoice interpersonal communication, changing enforcement of the existing texting while driving ban from a secondary offense to a primary offense.

Effective October 1, 2019, prohibits the use of a handheld wireless communications device while driving in a designated school crossing, school zone, or work zone area. From October 1, 2019, to December 31, 2019, law enforcement officers may provide a verbal or written warning and beginning January 1, 2019, may issue a uniform traffic citation for a violation. For these citations, law enforcement officers must indicate the type of handheld wireless communications device used.

The bill allows a person who has been issued a citation for a first offense of the handheld prohibition to elect to participate in a wireless communications device driving safety program and have any penalties, associated costs, and points waived. The bill authorizes the clerk of the court to dismiss a case and assess court costs for a nonmoving traffic infraction for a person who is cited for a first-time violation of the handheld prohibition if the person shows the clerk proof of purchase of equipment that enables their personal wireless communications device to be used in a hands-free manner.

For both the texting while driving ban and the handheld prohibition, requires a law enforcement officer to inform the motor vehicle operator of his or her right to decline a search of his or her wireless communications device. Also requires a law enforcement officer to record and report certain demographic information when a citation is issued.

Prohibits a law enforcement officer from:

- Accessing the wireless communications device without a warrant.
- Confiscating the wireless communications device while awaiting issuance of a warrant to access such device.
- Obtaining consent from the motor vehicle operator to search his or her wireless communications device through coercion or other improper method. Consent to search a motor vehicle operator's wireless communications device must be voluntary and unequivocal.

Effective 07/01/2019

Ch. Law 2019-047 – Driver License, Identification Card, and Motor Vehicle Registration Applications (SB 252 - Flores)

Effects or Creates the following Florida Statutes: 320.02, 322.08

Adds the option to make a voluntary contribution of \$1 or more to the Live Like Bella Childhood Cancer Foundation on the motor vehicle registration application.

Removes the Auto Club Group Traffic Safety Foundation, Inc. from the voluntary contribution list on the motor vehicle registration application and on the driver license and identification card application.

Effective 07/01/2019

Ch. Law 2019-049 – Public Records for Child Abuse, Abandonment, or Neglect (SB 318 - Montford)

Effects or Creates the following Florida Statutes: 39.202

Expands the public records exemption that protects the name of a reporter of child abuse, abandonment, or neglect to also include other identifying information. Such information would be protected and would only be released to specified persons, officials, and agencies specified in law.

Effective 07/01/2019

Ch. Law 2019-051 – Public Records for Mental Health Treatment and Services (SB 838 - Powell)

Effects or Creates the following Florida Statutes: 394.464

Expands the public records exemption to make confidential and exempt pleadings, orders, and personal identifying information on a docket relating to Baker Act proceedings.

Effective 07/01/2019

Ch. Law 2019-053 – Cyberharassment (SB 1136 - Harrell)

784.049, 901.15, 933.18, 901.41

Amends that the term sexual cyberharassment means the willful and malicious publishing of a sexually explicit image of another person to an Internet website or disseminate through electronic means to another person, which contains or conveys the personal identification information of the depicted person, and without the depicted person's consent or for no legitimate purpose, with the intent of causing substantial emotional distress to the depicted person.

Effective 07/01/2019

Ch. Law 2019-054 – Vessels (SB 1666 - Flores)

Effects or Creates the following Florida Statutes: 327.395, 327.6, 327.73, 328.72, 376.15, 823.11, 327.4109

Revises several boating safety identification requirements, including:

- Requiring a person to have either a boater safety identification card or a temporary certificate before renting and operating a vessel with a 10 horsepower or higher engine or electronic equivalent of such engine.
- Establishing criteria for obtaining a temporary certificate which is valid for 90 days.
- Providing that boating safety identification cards and temporary certificates may be issued in a digital, electronic, or paper format.
- Authorizing the Fish and Wildlife Conservation Commission (FWC) to appoint agents to administer qualifying boating safety education and temporary certificate requirements.
- Requiring vessel operators within a no-discharge zone to keep sewage discharges onboard for discharge at sea or onshore at a pump-out facility.
- Imposing a civil penalty and declaring the vessel or floating structure a nuisance and hazard to public safety and health if an unlawful discharge is made in a no-discharge zone.
- Requiring a certain portion of vessel registration fees designated for use by the counties to be deposited into the Marine Resources Conservation Trust Fund to fund grants for derelict vessel removal. Funds not granted to local governments by a certain date in the fiscal year may be used by the FWC to remove derelict vessels.
- Prohibiting a person who leaves or abandons a derelict vessel from residing or dwelling on the vessel until it is permanently removed from state waters or returned to waters in a non-derelict condition.

Effective 07/01/2019

Ch. Law 2019-055 – Public Records for Voters and Voter Registration (HB 281 - Stevenson)

Effects or Creates the following Florida Statutes: 97.0585

Expands the public records exemption to make confidential and exempt information related to a voter's or voter registration applicant's prior felony conviction, and whether such person has had his or her voting rights restored.

Also makes all information concerning 16 and 17-year-olds who preregister to vote confidential and exempt from public record requirements; once preregistered voters attain the age of 18, their information will become available per public record laws.

Effective 07/01/2019

Ch. Law 2019-066 – Registration and Titling of Vehicles and Vessels (HB 87 - Ponder)

Effects or Creates the following Florida Statutes: 320.055, 320.0609, 320.07, 320.0705, 328.01

Allows FLHSMV and tax collectors to verify the necessary information through the electronic file of death records maintained by the Department of Health, in lieu of a death certificate for certain transactions.

Beginning September 1, 2020, a natural person who owns a heavy truck that weighs between 5,001 and 7,999 pounds, may renew his or her registration during his or her birth month rather than exclusively in December.

Effective 07/01/2019

Ch. Law 2019-069 – Motor Vehicles and Railroad Trains (HB 341 - LaMarca)

Effects or Creates the following Florida Statutes: 316.003, 316.068

Provides that a railroad train is not a motor vehicle for the purpose of Florida's Uniform Traffic Control Law. Provides law enforcement officers the discretion to decide whether to collect and report the names and addresses of parties, drivers, and passengers involved in a vehicle crash involving a railroad train. However, law enforcement personnel remain required, as under current law, to collect and report the names and addresses of witnesses.

Also specifies that a member of a railroad train crew, or a passenger on a railroad train, is not a passenger for purposes of the motor vehicle crash report. However, members of the railroad train's crew must furnish certain information and, upon request, furnish his or her federal certification.

Effective 07/01/2019

Ch. Law 2019-077 – Carrying of Firearms by Tactical Medical Professionals (HB 487 - Gottlieb)

Effects or Creates the following Florida Statutes: 790.25

Defines and specifies qualifications for tactical medical professionals (TMP) as a paramedic, physician, or osteopathic physician who has been appointed to provide medical services to a tactical law enforcement unit. Allows a TMP to carry a firearm in the same manner and in the same locations as a law enforcement officer while the TMP is actively operating in direct support of a law enforcement operation. A TMP has no duty to retreat and may only use force for self-defense or in the defense of others. Grants a TMP the same criminal and civil immunity as a law enforcement officer when the TMP is acting in the scope of his or her official duties but does not authorize a TMP to carry a firearm or ammunition on a fire apparatus or EMS vehicle. Requires the appointing law enforcement agency to issue the TMP a firearm and ammunition.

Effective 07/01/2019

Ch. Law 2019-081 – Alcohol or Drug Overdose Prosecutions (HB 595 - Silvers)

Effects or Creates the following Florida Statutes: 893.21, 562.112

Amends the 911 Good Samaritan Act by limiting immunity for possession of a controlled substance to exclude possession of more than 10 grams of certain substances, such as fentanyl and heroin. Adds protection from arrest for a person seeking aid for an alcohol or drug overdose victim and extends immunity to a person who mistakenly, but in good faith, seeks assistance believing that he, she, or another is experiencing an alcohol or drug overdose. Also provides protection from arrest for a person seeking aid for an alcohol or drug overdose victim for providing alcohol to a person under 21 years old or possessing or consuming alcohol when under 21 years old.

Effective 07/01/2019

Ch. Law 2019-091 – DNA Database (HB 1021 - Latvala)

Effects or Creates the following Florida Statutes: 943.325

Provides that a match between a person’s DNA sample in a criminal investigation and a DNA profile from a state or federal database may establish probable cause for an arrest warrant, in addition to a search warrant for a confirming DNA sample.

Effective 07/01/2019

Ch. Law 2019-101 – Autonomous Vehicles (HB 311 – Fischer)

Effects or Creates the following Florida Statutes: 316.003, 316.062, 316.063, 316.065, 316.1975, 316.303, 316.305, 316.85, 319.145, 338.2216, 339.175, 339.64, 627.0653, 655.96, 339.83, 627.749, 322.015

Removes the requirement that a person possess a valid driver license to operate a fully autonomous vehicle and provides that the automated driving system, rather than a person, is deemed the operator of an autonomous vehicle when operating with the automated driving system engaged. Autonomous or fully autonomous vehicles equipped with a teleoperation system may operate without a human operator in the vehicle when the teleoperation system is engaged, and certain requirements are met.

Requires autonomous vehicles to comply with applicable federal laws and regulations and allows an on-demand autonomous vehicle network to operate pursuant to state laws with the same insurance requirements applicable to a transportation network company.

Prohibits local governments from imposing a tax, fee, or other requirement on automated driving systems or autonomous vehicles and clarifies that this prohibition does not exempt autonomous vehicles from a tax or fee applied to non-autonomous vehicles. Authorizes airports and seaports to charge autonomous vehicles providing passenger transportation services reasonable pickup fees.

Also authorizes the Florida Turnpike Enterprise to fund, construct, and operate facilities for the advancement of autonomous and connected innovative transportation technologies and enter into agreements with private entities to provide services and concessions to benefit the traveling public.

Effective 07/01/2019

Ch. Law 2019-102 – Federal Immigration Enforcement (SB 168 - Gruters)

Effects or Creates the following Florida Statutes: 908.104, 908.105, 908.108, 908.107, 908.106, 908.109, 908.101, 908.102, 908.103

Prohibits sanctuary jurisdictions and requires state and local entities to comply with federal immigration detainers when they are supported by proper documentation, including:

- Prohibiting a state entity, law enforcement agency, or local governmental entity, from having a sanctuary policy.
- Requiring a covered government body to use its best efforts to support the enforcement of federal immigration law.
- Prohibiting a state entity, local governmental entity, or law enforcement agency from restricting a law enforcement agency's ability to communicate or exchange information with a federal immigration agency on immigration enforcement matters.
- Providing procedures for a court to follow to reduce a defendant's sentence and thereby permitting law enforcement agencies to transfer the defendant to a federal facility.
- Requiring a law enforcement agency that has custody of someone who is subject to an immigration detainer to notify the judge of the detainer, record in the person's file the existence of the detainer and comply with the detainer.
- Requiring a county correctional facility to enter into an agreement with a federal immigration agency for the payment of costs associated with housing and detaining defendants.
- Permitting the Attorney General to institute an action for a violation of this law or to prevent a violation of the law.
- Requiring any sanctuary policies currently in effect be repealed within 90 days after the effective date of the act.

Effective 07/01/2019

[Ch. Law 2019-104](#) – Lessor Liability Under Special Mobile Equipment Leases (SB 862 - Stargel)

Effects or Creates the following Florida Statutes: 768.092

Provides that the lessor of special mobile equipment (vehicles not designed or used primarily to transport persons or property and that are only incidentally operated or moved over a highway) that causes injury, death, or damage while leased under a lease agreement is not liable for the acts of the lessee or lessee's agent or employee if the lease agreement requires documented proof of insurance coverage with limits of at least \$250,000/\$500,000 for bodily injury liability and \$100,000 for property damage liability, or at least \$750,000 for combined property damage liability and bodily injury liability. Provides that the failure of the lessee to maintain insurance coverage required by the lease agreement does not impose liability on the lessor.

Effective 07/01/2019

[Ch. Law 2019-108](#) – Insurance (HB 301 - Santiago)

Effects or Creates the following Florida Statutes: 215.555, 319.3, 440.381, 624.155, 624.404, 624.4085, 626.914, 626.916, 626.9541, 627.0655, 627.426, 627.4555, 627.7015, 627.7295, 921.0022, 624.1055

Comprehensive insurance bill, which includes authorizing titles to be surrendered electronically and providing that electronic signatures complying with certain conditions may be used for required signatures for motor vehicle salvage titles.

Effective 07/01/2019

Ch. Law 2019-109 – Micromobility Devices (HB 453 - Toledo)

Effects or Creates the following Florida Statutes: 316.003, 316.1995, 316.2128, 316.2225, 320.01, 655.960

Establishes a regulatory framework for the operation of micromobility devices. Grants certain rights and applies certain duties to the operator of a micromobility device or motorized scooter that are substantially the same as those of a bicycle rider. However, a local government is not prevented from exercising its regulatory authority with respect to the operation of micromobility devices and motorized scooters on streets, highways, and sidewalks under its jurisdiction.

Allows a person to operate a micromobility device or motorized scooter without a valid driver license. Also provides that micromobility devices and motorized scooters are exempt from vehicle registration, licensing, insurance requirements, equipment requirements for slow moving vehicles, and motor vehicle provisions related to licensing and license-plate display.

Requires a person who offers motorized scooters or micromobility devices for hire to secure all such devices located in any area of the state where an active tropical storm or hurricane warning has been issued.

Effective 07/01/2019

Ch. Law 2019-113 – Corrections (HB 7057 - Roach)

Effects or Creates the following Florida Statutes: 943.13, 943.131, 943.133, 943.137, 943.139, 943.1395, 943.14, 943.17, 943.253, 944.105, 944.714, 945.035, 948.01, 951.063, 985.644, 330.41

Prevents a person from knowingly and willfully operating a drone over, near, or in contact with a state or private prison, secure juvenile detention facility, nonsecure, high-risk, maximum risk juvenile residential facility, or county detention facility by amending the definition of “critical infrastructure facility.”

Also decreases the minimum age requirement for a full-time, part-time, or auxiliary correctional officer with the Florida Department of Corrections to 18 years of age.

Effective 07/01/2019

Ch. Law 2019-118 – Information Technology Reorganization (HB 5301 - Williamson)

Effects or Creates the following Florida Statutes: 17.0315, 20.055, 20.22, 20.255, 20.61, 97.0525, 110.205, 112.061, 215.322, 215.96, 282.003, 282.0041, 282.0051, 282.00515, 282.201, 282.318, 287.057, 287.0591, 365.171, 365.173, 445.011, 445.045, 668.5, 943.0415, 282.206

Makes changes in law relating to state agency information technology (IT) and restructures IT governance within the executive branch, including:

- Renaming the Technology Program within the Department of Management Services (DMS) as the Division of State Technology and establishes a state chief information officer (CIO) appointed by the Secretary of DMS to lead the division.
- Authorizing a type two transfer of duties and responsibilities of the Agency for State Technology (AST) to DMS. Amends various statutes to place AST functions within DMS.
- Creating a cloud-first policy for state agencies, requiring each agency to first consider cloud computing solutions when sourcing technology.
- Requiring the State Data Center (SDC) and state agencies to show preference in procurement for cloud computing solutions that either minimize or do not require the use of the State Data Center.

- Removing both the requirements for state agencies to utilize the State Data Center when initiating new computer services and the limitation prohibiting state agencies from transferring existing computer services to any data center other than the State Data Center.
- Creating the Florida Cybersecurity Task Force to review and provide recommendations for the improvement of the state’s cybersecurity infrastructure, governance, and operations.
- Increasing the qualification requirements for the state CIO and providing qualification requirements for the State Data Center Director and State Chief Information Security Officer.
- Designating the Department of Environmental Protection (DEP) as the state coordinating agency for Geographic Information Systems (GIS) and geospatial data.
- Providing authority in statute to allow DMS to bill administrative costs of the agency to State Data Center customer agencies.
- Establishing the Statewide Travel Management System and requiring all executive branch state government agencies and the judicial branch to use the system for purposes of travel authorization, reimbursement, and reporting.

Effective 07/01/2019

Ch. Law 2019-125 – Motor Vehicle Racing (HB 611 - Mercado)

Effects or Creates the following Florida Statutes: 316.191, 301.15

Allows a law enforcement officer to arrest a person without first obtaining a warrant if the officer has probable cause to believe the person committed a racing offense. Removes the requirement that an officer either witness the offense and arrest immediately or in fresh pursuit or secure an arrest warrant.

Effective 07/01/2019

Ch. Law 2019-127 – Prescription Drug Monitoring Program (HB 1253 - Mariano)

Effects or Creates the following Florida Statutes: 893.055, 893.0551

Authorizes the Attorney General to indirectly access de-identified patient information in the Florida prescription drug monitoring program (PDMP) database for an active investigation or pending criminal or civil litigation involving prescribed controlled substances. For cases other than those involving Medicaid fraud, the Department of Health (DOH) may release de-identified patient information that is compliant with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) under the following conditions:

- A trial court must grant a petition or motion for the release of information.
- The information obtained is only used for the matter requested in the petition or motion.
- The Attorney General maintains a log of each person with whom the information is shared.
- The Attorney General executes a confidentiality agreement, or an agreement bound by a protective order with each person with whom the information is shared and ensures the security and disposal of the information at the conclusion of the matter for which it is shared.

Authorizes the Attorney General to enter PDMP information into evidence in a civil, criminal, or administrative action against a dispenser, manufacturer, or pharmacy and authorizes program staff to testify in legal proceedings to authenticate this information. Defines “electronic health recordkeeping system,” to clarify the types of software applications that may access the system.

Effective 07/01/2019

Ch. Law 2019-132 – State Hemp Program (SB 1020 - Bradley)

Effects or Creates the following Florida Statutes: 893.02, 1004.4473, 581.217

Authorizes the Department of Agriculture and Consumer Services to create a state industrial hemp program to administer and oversee the cultivation, handling, processing, and sale of hemp. Specifically, directs the Commissioner of Agriculture, in consultation with the Governor and Attorney General, to submit a plan for regulating hemp to the United States Secretary of Agriculture. Revises the definition of “cannabis” for purposes of chapter 893, Florida Statutes, to exclude hemp and industrial hemp. Directs the department to include information for administering the state hemp program in their legislative budget request for the 2020-2021 fiscal year.

Effective 07/01/2019

Ch. Law 2019-134 – Mental Health (SB 1418 - Powell)

Effects or Creates the following Florida Statutes: 394.4615, 394.463, 394.917, 456.059, 490.009, 490.0147, 491.009, 491.0147, 1012.583

Implements two recommendations of a Department of Children and Families (DCF) task force related to Baker Act cases involving minors. Encourages school districts to adopt a standardized suicide assessment tool that school-based mental health professionals would implement prior to initiation of an involuntary examination. Increases the number of days, from the next working day to five working days that the receiving facility must submit forms to DCF, to allow DCF to capture data on whether the minor was admitted, released, or a petition filed with the court. Increases data gathering on involuntary examinations and requires DCF to report every two years on its findings and recommendations related to involuntary examinations initiated on minors.

Also requires that when a patient communicates a specific threat against an identifiable individual to a mental health service provider, the provider must release information from the clinical record of the patient sufficient to inform law enforcement of the potential threat.

Effective 07/01/2019

Ch. Law 2019-141 – Department of Environmental Protection (HB 5401 - Raschein)

Effects or Creates the following Florida Statutes: 20.255, 285.004, 258.008, 258.501, 282.709, 316.64, 376.3071, 403.413, 794.07, 790.166, 843.08, 843.085, 870.04, 932.7055

Transfers the primary responsibility and powers for investigation and law enforcement of certain environmental crimes from Florida Fish and Wildlife Conservation Commission (FWC) to Department of Environmental Protection (DEP). A new memorandum of agreement will be developed between the commission and the department to detail the responsibilities of each agency.

- Creates the Division of Law Enforcement in DEP and reassigns all personnel and equipment from the department’s Office of Emergency Response to the Division of Law Enforcement.
- Establishes a transition advisory workgroup for the purpose of identifying any administrative rules that may need to be amended as a result of this consolidation.
- Allows any commission employees who are transferred to the department to retain their leave and current position status.

- Gives DEP law enforcement authority in areas of environmental law enforcement where FWC currently has authority but allows the commission to retain its authority.
- Adds the department to the Joint Task Force on State Agency Law Enforcement Communications.

Effective 07/01/2019

Ch. Law 2019-143 – Infectious Disease Elimination Programs (SB 366 - Braynon II)

Effects or Creates the following Florida Statutes: 381.0038

Allows a county commission to establish sterile needle and syringe exchange programs through the adoption of a county ordinance and satisfaction of the specified program requirements. Exchange programs must cooperate with the Department of Health (DOH) and the local county health department. Exchange programs are prohibited from using state funds; however, programs may be funded with county or municipal funds, or with private donations.

Effective 07/01/2019

Ch. Law 2019-144 – Military-friendly Initiatives (SB 620 - Broxson)

Effects or Creates the following Florida Statutes: 163.3175, 197.572, 320.08058, 1003.05, 1009.21

Provides a number of benefits to servicemembers and their families and additional protections and benefits for military organizations, land interests and uses. Establishes the Blue Angels license plate to be developed by FLHSMV and used to fund the Naval Aviation Museum Foundation contingent upon future fee legislation.

Effective 07/01/2019

Ch. Law 2019-146 – E911 Systems (HB 441 - DuBose)

Effects or Creates the following Florida Statutes: 365.172, 365.177, 365.179

Requires the Technology Program Office within the Department of Management Services to develop a plan by February 1, 2020, to upgrade 911 public safety answering points (PSAPs) within the state to allow the transfer of an emergency call from one local, multijurisdictional, or regional E911 system to another local, multijurisdictional, or regional E911 system in the state. Specifies that this transfer capability should include voice, text message, image, video, caller identification information, location information, and additional standards-based 911 call information.

Also requires each county to develop a plan to implement countywide text-to-911 service and, by January 1, 2022, to enact a system that allows for text-to-911 service.

Requires the development and implementation of communications systems that allow direct radio communication between each PSAP and first responders outside the PSAP’s normal service area.

Effective 07/01/2019

Ch. Law 2019-152 – Human Trafficking (HB 851 - Fitzenhagen)

Effects or Creates the following Florida Statutes: 450.045, 480.033, 480.043, 480.046, 796.07, 847.001, 943.17297, 456.0341, 16.618, 509.096, 943.0433

Addresses human trafficking policies by:

- Creating a direct-support organization within the Department of Legal Affairs to provide assistance, funding, and support to the Statewide Council on Human Trafficking.

- Requiring certain healthcare professionals to take a one-hour educational course on human trafficking and conspicuously post a sign about the National Human Trafficking Hotline.
- Requiring a massage establishment to implement a procedure for reporting suspected human trafficking to the National Human Trafficking Hotline or law enforcement and conspicuously post a sign with relevant portions of the procedure by January 1, 2021.
- Requiring a massage establishment to designate an establishment manager to be responsible for operational rules compliance.
- Requiring the Department of Health (DOH) to deny an application for massage establishment license if an owner or designated establishment manager has been convicted of a prostitution offense.
- Authorizing DOH to revoke or suspend a massage establishment's license if certain employees or owners have convictions or disciplinary action for prostitution.
- Prohibiting a massage establishment owner or designated establishment manager whose license is revoked from reapplying for a license or, for an owner, transferring the license.
- Requiring a public lodging establishment to provide annual human trafficking training by January 1, 2021, implement a suspected human trafficking code of conduct, and post appropriate signage.
- Creating a Soliciting for Prostitution database of those convicted of soliciting prostitution, to include a person's full legal name, last known address, color photograph, and offense of conviction.
- Criminalizing an adult theater's failure to maintain age verification documentation and defining "adult theater" to clearly encompass a strip club.
- Requiring a certified law enforcement officer to complete a human trafficking training component within one year of beginning employment or by July 1, 2022.

Effective 07/01/2019

Ch. Law 2019-162 – Election Administration (SB 7066 - Ethics and Elections)

Effects or Creates the following Florida Statutes: 97.012, 97.021, 97.052, 97.053, 98.045, 98.075, 98.077, 98.0981, 99.063, 100.061, 101.015, 101.048, 101.151, 101.2, 101.56075, 101.5614, 101.62, 101.64, 101.65, 101.657, 101.68, 101.69, 101.6923, 102.031, 102.141, 102.166, 102.168, 104.011, 104.051, 940.061, 944.292, 944.705, 947.24, 951.29, 98.0751, 948.041

Omnibus election administration measure that makes extensive substantive changes to the Florida Election Code:

- Moves the primary election back from ten to eleven weeks before the general election, to allow more time for overseas general election ballots.
- Modifies the ballot-envelope voter's certificate to request additional contact information and creates additional phone and electronic notice requirements.
- Moves the deadline for a voter to update his or her signature for purposes of validating a vote-by-mail ballot from the beginning of the vote-by-mail canvassing period to when the vote-by-mail ballot is received.
- Creates a process to use valid provisional and vote-by-mail ballot cure affidavits to update voter signatures immediately; provides for post-election notice to electors whose ballots are invalidated due to a signature discrepancy.

Effective 07/01/2019

Ch. Law 2019-169 – Transportation (HB 385 - Avila)

Effects or Creates the following Florida Statutes: 20.23, 112.3144, 212.055, 215.68, 319.141, 320.0605, 322.38, 334.175, 337.025, 338.165, 339.175, 343.1003, 348.0001, 348.0002, 348.0003, 348.0004, 348.0005, 348.0007, 348.0008, 348.0009, 348.001, 348.0011, 348.0012, 348.995, 348.9951, 348.9952, 348.9953, 348.9954, 348.9956, 348.9957, 348.9958, 348.9959, 348.996, 348.9961, 348.00115, 348.0308, 348.0305, 348.0304, 348.635, 348.0306, 348.0307, 348.0301, 348.0302, 348.7605, 348.0303, 348.0309, 348.0317, 348.031, 348.0316, 348.0315, 348.0311, 348.0313, 348.0312, 348.0318, 348.0314

Repeals the Florida Expressway Authority Act and transfers statutory provisions for certain expressway, bridge, and regional transportation authorities. Creates the Greater Miami Expressway Agency (GMX) and transfers all of Miami-Dade County Expressway Authority's (MDX) liabilities and assets, including its toll facilities, to GMX. Except under specified circumstances, the bill prohibits GMX from increasing toll rates until 2029 and requires a two-thirds vote of GMX's governing body prior to implementing any new toll rate increases. Also creates a monthly toll rebate program for certain SunPass users.

Additionally:

- Reenacts, revises, and makes permanent the Rebuilt Motor Vehicle Inspection Program in Miami-Dade County.
- Requires the Florida Department of Transportation (FDOT) to approve certain design plans for transportation projects.
- Repeals the Osceola County Expressway Authority.
- Authorizes the use of electronic rental car agreements and revises requirements for rental car transactions.
- Provides honorary designations for various transportation facilities around the state and directs FDOT to erect suitable markers designating the facilities. Honorary designations, by county, include:
 - **Alachua** – Sergeant William T. Bishop Memorial Highway;
 - **Baker** – Trooper Sherman L. Scott, Jr. Memorial Highway;
 - **Brevard** – Trooper Joseph Sawtell, Jr. Memorial Highway, Trooper Halley Strickland Memorial Highway, Kurt Eichin Memorial Trail, Martin Luther King, Jr. Boulevard;
 - **Broward** – Trooper Phillip Black and Corporal Donald Irwin Memorial Highway, Sergeant Steven G. Greco Memorial Highway, Edith Lederberg Lane;
 - **Collier** – Trooper Lindell J. Gibbons Memorial Highway;
 - **Columbia** – Sergeant George A. Brown, III Memorial Highway;
 - **Dixie** – Patrolman Royston E. Walker Memorial Highway;
 - **Duval** – Trooper Robert P. McDermon Memorial Highway, Trooper Edwin J. Gasque Memorial Highway;
 - **Escambia** – Trooper Milan D. Hendrix Memorial Highway, Maceo Perkins Parkway;
 - **Jefferson** – Sheriff David C. Hobbs Memorial Highway;
 - **Lee** – Lieutenant Daniel Hinton Memorial Highway;
 - **Leon** – Trooper William 'Bill' H. Dyer Memorial Interchange;
 - **Manatee and Sarasota** – Sergeant John C. Baxter, Jr. Memorial Highway;
 - **Marion** – Trooper Chelsea Richard Memorial Highway;
 - **Miami-Dade** – Trooper Luther P. Daniel Memorial Highway, Trooper Alvin V. Kohler Memorial Highway, Trooper Bradley S. Glascock Memorial Highway, Trooper Elmer C. Barnett Memorial Highway, Trooper Owen K. Bender

- Memorial Interchange, Countyline Parkway, Manuel A. Gonzalez Plaza, Robert L. Shevin Way, Jorge P. Castano Way, Florence Hecht Lane;
- **Nassau** – Fallen Hero Specialist Kelly J. Mixon Interchange;
- **Orange** – Trooper Richard Howell Memorial Highway, Robert L. 'Bob' Billingslea Highway;
- **Palm Beach** – Troopers Herman T. Morris and Frederick J. Groves, Jr. Memorial Highway;
- **Polk** – Trooper John C. Hagerty Memorial Highway;
- **Seminole** – Patrolman Leroy Bender Memorial Highway;
- **St. Johns** – Trooper Wilburn A. Kelly Memorial Highway, Troopers Merle J. Cook, Robert L. Pruitt, and Cleo L. Tomlinson, Jr. Memorial Highway;
- **Taylor** – SSGT Edward C. Sheffield Memorial Bridge;

Effective 07/01/2019

The following bills take effect October 1, 2019:

[Ch. Law 2019-009](#) – Police, Fire, and Search and Rescue Dogs and Police Horses (SB 96 - Bean)

Effects or Creates the following Florida Statutes: 767.16, 843.19, 921.0022

Increases the penalty for intentionally causing great bodily harm, permanent disability, or death to, or using a deadly weapon upon, a police, fire, or search and rescue (SAR) canine, or a police horse from a third degree felony to a second degree felony.

Expands the definitions of police canine and SAR canine to include a canine that is owned, or the service of which is employed, by a correctional agency.

Effective 10/01/2019

[Ch. Law 2019-016](#) – Automated License Plate Recognition System (SB 7034 - Infrastructure and Security)

Effects or Creates the following Florida Statutes: 316.0777

Saves from repeal the exemption from public records requests for all images obtained from an automatic license plate recognition system as well as any personal identifying information in any data generated from images obtained from such a system.

Effective 10/01/2019

[Ch. Law 2019-017](#) – Payment of Toll on Toll Facilities/ Identifying Information (SB 7036 - Infrastructure and Security)

Effects or Creates the following Florida Statutes: 338.155

Saves from repeal the exemption from public records requests for personal identifying information held by the Florida Department of Transportation (FDOT), a county, a municipality, or an expressway authority for the purpose of paying, prepaying, or collecting tolls and associated administrative charges due for the use of toll facilities.

Effective 10/01/2019

Ch. Law 2019-029 – Division of Emergency Management (HB 7011 - Daniels)

Effects or Creates the following Florida Statutes: 252.905

Saves from repeal the public record exemption for information furnished by a person or business to the Division of Emergency Management (DEM) for the purpose of being provided assistance with emergency planning.

Effective 10/01/2019

Ch. Law 2019-034 – Concealed Carry License (HB 7059 - Yarborough)

Effects or Creates the following Florida Statutes: 790.0601

Saves from repeal the exemption from public records requests for personal identifying information for concealed weapon or firearm licenses or license renewals held by an elected county tax collector appointed by the Department of Agriculture and Consumer Services.

Effective 10/01/2019

Ch. Law 2019-092 – Motor Vehicles (HB 1057 - McClure)

Effects or Creates the following Florida Statutes: 316.224, 316.235, 316.2397, 316.2398, 319.3, 320.03, 322.01

Beginning July 1, 2019, changes the notification requirements governing the storage and sale of damaged or dismantled vehicles. Requires entities facilitating the disposal of total-loss vehicles to:

- Provide specified notices by certified mail or another commercial delivery service that provides proof of delivery.
- Use a vehicle owner’s address from both the insurance company and the titling jurisdiction identified through the National Motor Vehicle Title Information System (NMVTIS), or an equivalent commercially available system, for sending a notice.
- Provide proof of all lien satisfactions or proof of a release on all liens on a vehicle when applying for a certificate of destruction or salvage certificate of title.
- Provide an affidavit indicating a notice had been sent to all lien holders, in the event a lien satisfaction or a release of all liens on a vehicle cannot be obtained.
- Require proof of delivery to the lienholder at the address on the certificate of title and, if the address is different from the one on file with the Department of State for the lienholder’s registered agent, proof of delivery to that address.

Beginning October 1, 2019, authorizes the display of certain lights underneath a motor vehicle and permits volunteer firefighters to display red and white lights, instead of the current red lights, on their vehicles.

Allows authorized insurers, licensed salvage motor vehicle dealers, and licensed motor vehicle auctions that in the ordinary course of business process title transactions, derelict motor vehicle certificates, or certificates of destruction for derelict and salvage motor vehicles to utilize the electronic filing system maintained by FLHSMV.

Effective 10/01/2019

Ch. Law 2019-133 – Hazing (SB 1080 - Book)

Effects or Creates the following Florida Statutes: 1001.64, 1006.63

Amends and reorganizes the definition of hazing to include the perpetuation or furtherance of a tradition or ritual of any organization operating under the sanction of a postsecondary institution. Adds a person who is a former member of a student organization as a person who is protected from hazing. Amends that persons who solicit others to commit the crime of hazing or who plan any act of hazing may be prosecuted as if they actively participated in the hazing event. If the hazing results in a permanent injury to the victim, the crime is a third-degree felony.

Provides that a person who provides aid before medical assistance, law enforcement, or campus security arrive on the scene or if an individual is the first to call 911 seeking medical attention for a hazing victim, and who otherwise cooperates with and assists first responders may not be prosecuted for the crime of hazing.

Effective 10/01/2019

Ch. Law 2019-149 – Commercial Motor Vehicles (HB 725 - Payne)

Effects or Creates the following Florida Statutes: 316.302, 316.515, 316.545

Updates commercial motor vehicle (CMV) regulations to address compatibility concerns with federal law:

- Removes exceptions regarding the visibility of headlamps and turn signals by waste collection vehicles under specified circumstances.
- Provides that, beginning December 31, 2019, certain requirements relating to the use of electronic logging devices and hours of service support documents take effect.
- Removes language requiring intrastate CMVs that are not carrying hazardous materials to comply with certain federal regulations providing maximum drive time requirements.
- Removes a provision requiring a motor carrier to maintain documentation of driving times if a driver is not released from duty within 12 hours after arriving for duty.

Provides that certain CMV regulations do not apply to covered farm vehicles and authorizes, consistent with federal regulations, CMVs with electric battery power systems to increase their weight limit by 2,000 pounds.

Requires charter buses operating interstate to register as apportionable vehicles. Requires by January 1, 2020, the Florida Department of Transportation (FDOT), in conjunction with FLHSMV, to develop a permitting program for the use of certain oversized and overweight semitrailer combinations for transporting farm products on specified roads.

Effective 10/01/2019

Ch. Law 2019-167 – Administration of Justice (HB 7125 - Daniels)

Effects or Creates the following Florida Statutes: 16.555, 16.56, 28.35, 57.105, 61.13016, 95.18, 212.15, 287.095, 316.027, 316.0775, 316.8, 322.01, 322.05, 322.055, 322.056, 322.057, 322.34, 373.6055, 394.47892, 394.917, 397.334, 397.403, 400.9935, 414.095, 447.203, 455.213, 474.2165, 489.126, 489.553, 500.451, 509.151, 509.161, 538.09, 538.23, 550.6305, 562.11, 562.111, 562.27, 562.451, 569.11, 627.743, 634.421, 642.038, 705.102, 713.69, 741.3, 772.12, 775.082, 775.087, 775.3, 776.09, 782.04, 784.048, 790.052, 790.065, 790.22, 794.056, 796.07, 800.09, 806.13, 810.02, 812.014, 812.015, 812.0155, 812.14, 815.03, 815.06, 817.413, 831.28, 847.0141, 849.01, 849.02, 877.112, 893.13, 893.135, 893.1351, 893.138, 903.133, 907.041, 910.035, 921.0022, 921.141, 921.142, 921.187, 934.07, 938.08, 938.085, 943.053, 943.0581, 943.0582, 943.0585, 943.059, 944.026, 944.4, 944.47, 944.4731, 944.704, 944.705, 944.801, 948.001, 948.012, 948.013, 948.036, 948.04, 948.05, 948.06, 948.062, 948.08, 948.1, 948.16, 948.2, 951.22, 958.03, 958.04, 958.045, 958.046, 958.14, 960.001, 960.07, 960.13, 960.195, 960.196, 960.28, 985.12, 985.145, 985.15, 985.26, 985.265, 985.556, 985.557, 985.565, 1006.147, 397.4073, 775.33, 900.05, 901.41, 943.6871, 985.126, 943.0578, 322.75, 1009.02, 43.51, 943.0584, 943.0595, 16.557, 948.081

Makes comprehensive changes to Florida law which impact public safety, specifically:

- Prohibits disclosure of specified Crime Stoppers information and modifies use of grant funds.
- Expands inmate reentry programming, reduces barriers to occupational licensing and educational opportunities, and expands sealing eligibility for specified criminal history records.
- Reforms current probation practices to more proportionally address violations.
- Raises felony thresholds for specified offenses, including grand theft and retail theft, to \$750.
- Authorizes the creation of community courts and expands eligibility for pretrial drug court.
- Reforms driver license suspensions and revocations, including:
 - Amends the driver license suspension period of a person convicted of possession or sale of, trafficking in, or conspiracy to possess, sell, or traffic in a controlled substance from one year to six months;
 - Removes the conviction of tobacco offenses for a person under the age of 18 from driver license suspensions, and amends the driver license suspension period of a person under the age of 18 convicted of certain drug charges from one year to six months;
 - Removes the conviction of providing alcohol to a minor driver from driver license suspensions;
 - Requires the County Clerks of Courts to establish Driver License Reinstatement Days.
- Repeals mandatory direct file for juveniles, revises youthful offender sentencing eligibility, and updates juvenile civil citation provisions to reflect current practices.
- Raises hydrocodone trafficking thresholds to align with similar controlled substances.
- Revises offenses related to correctional and county detention facilities and clarifies an inmate released from a county detention facility may qualify as a prison releasee reoffender.
- Expands and revises criminal justice data transparency elements and requires the procurement of a uniform arrest affidavit and other specified uniform crosswalk tables.
- Revises elements and penalties for cybercrimes, contracting fraud, escape, retail theft, possessing a counterfeit instrument, driving while license suspended or revoked, and specified regulatory crimes.
- Authorizes specified law enforcement officers to carry a concealed firearm off-duty in any state.
- Extends specified deadlines and increases an award for crime victim compensation claims.
- Creates a task force to review and make recommendations on felony sentencing and ranking.
- Makes other varied reforms to increase public safety.

Effective 10/01/2019

The following bills take effect January 1, 2020:

Ch. Law 2019-071 – Electronic Legal Documents (HB 409 - Grant, J.)

Effects or Creates the following Florida Statutes: 28.222, 92.5, 95.231, 117.01, 117.021, 117.05, 117.107, 689.01, 694.08, 695.03, 695.04, 695.25, 695.28, 709.2119, 709.212, 709.2202, 731.201, 732.506, 733.201, 117.245, 117.215, 732.524, 117.275, 117.295, 732.525, 732.526, 117.285, 732.522, 117.265, 117.201, 732.521, 117.225, 732.523, 117.209, 740.11, 117.235, 117.305, 117.255

Authorizes remote notarization and the use of an electronic will. The bill provides for:

- Definitions for online notarization and the required technology.
- Procedures, standards, and requirements for online notarization.
- Registration requirements for online notaries.
- A certificate to be used by online notaries.
- Standards for supervising the witnessing of electronic records.
- Use of an electronic will and creates a "qualified custodian" who is responsible for possessing and controlling the electronic will.

Effective 01/01/2020

Ch. Law 2019-073 – Liens Against Motor Vehicles and Vessels (HB 431 - Fischer)

Effects or Creates the following Florida Statutes: 559.917, 559.92, 713.585, 713.78

Updates certain requirements for motor vehicles liens, including:

- Revises content and mailing requirements for notices of lien and sale.
- Revises procedures for identifying unknown vehicle and vessel owners and lienholders.
- Requires repair shops to allow inspection of vehicles subject to a claim of lien.
- Allows a copy of an electronic or paper title to evidence an interest in a vehicle or vessel.
- Allows lienholders to post a bond for the release of a vehicle subject to a claim of lien for repair.
- Allows owners and lienholders to post a bond for the release of a vehicle or vessel subject to a claim of lien for towing and storage charges at any time before the sale of the vehicle or vessel.
- Permits administrative fees of no more than \$250 for the repair, towing, or storage of vehicles, prohibits fees not expressly authorized, and caps the total amount of fees that may be charged at \$250.
- Requires lienholders to file specified documentation with FLHSMV prior to transferring a title of a vehicle or vessel sold to satisfy a lien for repairs, towing, or storage.
- Prohibits FLHSMV from transferring a title of a vehicle or vessel without certain documents.
- Requires a third-party service certified by FLHSMV to send all notices of lien and sale.

Effective 01/01/2020

The following bills take effect July 1, 2023:

Ch. Law 2019-076 – Certificates of Title for Vessels (HB 475 - Williamson)

Effects or Creates the following Florida Statutes: 328.01, 328.03, 328.09, 328.11, 328.15, 328.16, 328.165, 409.2575, 705.103, 721.08, 328.145, 328.24, 328.06, 328.065, 328.25, 328.0015, 328.001, 328.125, 328.015, 328.04, 328.14, 328.215, 328.22, 328.41, 328.101, 328.02, 328.045, 328.12, 328.23, 328.055

Incorporates the Uniform Certificate of Title for Vessels Act into Florida's existing vessel titling law. Provides numerous changes to the title application requirements and the duties and responsibilities of the FLHSMV relating to vessel titling.

- Provides new requirements for the contents of a certificate of title, including the requirement that an application contain a detailed description of the vessel.
- Provides that state law governs all issues relating to the certificate of title for vessels.
- Provides certain responsibilities applicable to an owner and insurer of a hull-damaged vessel.
- Requires FLHSMV to maintain the information contained in all certificates of title and the information submitted with the application for such certificate.
- Specifies that possession of a certificate of title does not by itself provide a right to obtain possession of a vessel.
- Provides FLHSMV with certain duties relating to creation, issuance, refusal to issue, or cancellation of a certificate of title.
- Specifies that a certificate of title is effective even if it contains scrivener's errors or does not contain certain required information that FLHSMV determines to be inconsequential to issuing a certificate of title.
- Provides additional requirements for obtaining a duplicate certificate of title.
- Provides requirements for the determination and perfection of a security interest in a vessel.
- Provides requirements for the delivery of a statement of the termination of a security interest.
- Provides requirements for the transfer of ownership in a vessel.

Effective 07/01/2023