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October 9, 2020

**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:** Kevin Jacobs  
Legislative Affairs Director

**SUBJECT: 2020 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 2020 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](http://www.leg.state.fl.us). Links to Chapter Law are provided embedded in the document but are not maintained by FLHSMV. Please do not hesitate to contact FLHSMV, Office of Legislative Affairs at 850-617-3195, or email [LADhelp@flhsmv.gov](mailto: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:

### [Chapter 2020-005 “Law Enforcement Vehicles” \(SB 476 - Hooper\)](#)

*Florida Statutes: 718.129, 719.131, 720.318*

The bill prohibits condominium associations, homeowners’ associations, and cooperatives from preventing a law enforcement officer who is an owner, or an owner’s tenant, guest, or invitee, from parking his or her assigned law enforcement vehicle in an area where the owner, or the owner’s tenant, guest, or invitee, has a right to park.

Effective Date 2/21/2020

### [Chapter 2020-013 “Public Records/911, E911, Public Safety Radio Communication Systems” \(SB 1060 - Thurston\)](#)

*Florida Statutes: 119.071, 286.0113*

The bill creates a public record exemption for specific records that identify the design, scope, and location of 911, E911, or public safety radio communication system infrastructure owned and operated by an agency. The bill also creates a public meeting exemption for any portion of a meeting that would reveal these records. Specifically, the bill creates a public record exemption for:

- Building plans, blueprints, schematic drawings, and diagrams, including draft, preliminary, and final formats, which depict the structural elements of 911, E911, or public safety radio communication system infrastructure, including towers, antennas, equipment or facilities used to provide 911, E911, or public safety radio communication services, or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency; and
- Geographical maps indicating the actual or proposed locations of 911, E911, or public safety radio communication system infrastructure, including towers, antennas, equipment or facilities used to provide 911, E911, or public safety radio services, or other 911, E911, or public safety radio communication structures or facilities owned and operated by an agency.

The bill identifies specific circumstances in which these records may be disclosed. Further, the bill requires that all portions of a public meeting exempted by the bill be recorded and transcribed. The bill provides that these recordings and transcripts are confidential and exempt from disclosure as public records except to the extent that any portion of the recording or transcript is determined by a court of competent jurisdiction, upon review, to reveal nonexempt data. The bill defines “public safety radio” for purposes of each exemption.

Effective Date 4/08/2020

### [Chapter 2020-087 “Transportation Network Companies \(TNCs\)” \(HB 1039 - Rommel\)](#)

*Florida Statutes: 627.748*

The bill allows certain motor vehicles compliant with the Americans with Disabilities Act, limousines, and luxury for-hire vehicles to operate as a TNC vehicle and allows for-hire vehicle owners to operate as a TNC.

The bill defines “luxury ground transportation network company” to mean a company that uses its digital network to connect riders exclusively to drivers who operate for-hire vehicles, including limousines and luxury sedans. The bill requires luxury ground TNCs to comply with all requirements applicable to a TNC and requires such TNCs to maintain specific insurance coverage at all times. The

bill provides that the regulation of luxury ground TNCs, luxury ground TNC drivers, and luxury ground TNC vehicles is preempted to the state.

The bill authorizes TNC drivers to contract for the installation of TNC digital advertising devices on the TNC vehicle and provides requirements for the use and display of a TNC digital advertising device. The bill defines “transportation network company digital advertising device” to mean a device no larger than 20 inches tall and 54 inches long that is fixed to the roof of a TNC vehicle that displays advertisements on a digital screen only while the TNC vehicle is turned on.

Effective Date: 06/23/2020

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## The following bills take effect July 1, 2020:

### [Chapter 2020-040 “Child Welfare” \(HB 43 - Latvala, Valdes\)](#)

*Florida Statutes: 25.385, 39.0142, 39.303, 39.820, 39.8296, 402.40, 402.402, 409.988,943.17298*

The bill creates a communication process beginning March 1, 2021, to make information available to law enforcement agencies if a person is a parent or caregiver involved in the child welfare system, and requires an officer to contact the central abuse hotline if the officer interacts with such a person and has concerns for a child’s health, safety, or well-being. The bill also requires the Child Protection Teams to offer training on the recognition of and responses to head trauma and brain injury in a child under 6 years of age, and requires child welfare professionals, dependency court judges, and law enforcement officers to obtain training on the topic.

Effective Date 7/01/2020

### [Chapter 2020-145 “Alert Systems in Public Schools” \(SB 70 - Book\)](#)

*Florida Statutes: 1006.07*

The bill requires all public and charter schools to have a mobile panic alert system, named “Alyssa’s Alert,” to activate during school security emergencies. At a minimum, all mobile panic alert systems in schools must integrate with the local public safety answering point infrastructure to transmit 911 calls and mobile activations. Additionally, all mobile panic alert systems must be capable of connecting emergency service technologies to ensure coordination among first responder agencies.

Subject to an appropriation, the bill requires the Department of Education (DOE) to procure a mobile panic alert system that school districts may implement. The DOE must consult with the Marjory Stoneman Douglas High School Public Safety Commission, the Florida Department of Law Enforcement, and the Florida Division of Emergency Management to develop the procurement solicitation.

Effective Date 7/01/2020

## [Chapter 2020-185 “Transportation-related Facility Designations” \(SB 78 - Broxson\)](#)

The bill creates 27 honorary designations for various transportation facilities across the state and directs the Florida Department of Transportation (FDOT) to erect suitable markers for each designation. The bill also makes changes to two previous designations.

### Florida Highway Patrol Road Designations:

- Designates I-95 between mile markers 105 and 110 in Martin County as the “Trooper Joseph Bullock Memorial Highway.”
- Designates S.R. 408/Spessard L. Holland East-West Expressway between S. Crystal Lake Drive and S. Semoran Boulevard in Orange County as the “Sergeant Tracy Vickers Memorial Expressway.”

### Other Designations:

- Pensacola Bay Bridge on U.S. 98/S.R. 30 over the Pensacola Bay between 17th Avenue in Escambia County and Baybridge Drive in Santa Rosa County as the “General Daniel ‘Chappie’ James, Jr., Bridge.”
- Bloxham Cutoff Road/S.R. 267 between U.S. 98 in Wakulla County and S.R. 20 in Leon County as “J.D. Turner Highway.”
- Bridges on S.R. 510 between Wabasso and Wabasso Beach in Indian River County as the “A.B. Michael Bridges.”
- W. Kennedy Boulevard between Lois Avenue and Dale Mabry Highway in Hillsborough County as “Master Police Officer Lois Marrero Memorial Highway.”
- E. Laurel Street between N. Orange Avenue and N. Morgan Street in Hillsborough County as “Officer James Ronco Memorial Highway.”
- Bridge on S.R. A1A/Jack Nicklaus Drive in Palm Beach County as “Gold Star Family Memorial Bridge, dedicated to Army Captain Joseph M. Berkson.”
- S.R. 438 between Winters Landing Drive and Clarke Road in Orange County as “Julius ‘July’ Perry Memorial Highway.”
- I-95 between the Florida state line in Nassau County and S.W. 32nd Road in Miami-Dade County as the “Purple Heart Memorial Highway.”
- U.S. 98 between C.R. 386 and Pine Street in Gulf County as “Willis V. Rowan Memorial 58 Highway.”
- U.S. 98 between Pine Street and C.R. 382/Industrial Road in Gulf as “John C. Gainous Memorial Highway.”
- I-10 between U.S. 29/S.R. 95 and S.R. 291 in Escambia County as “Deputy Donald Ray Cook Memorial Highway.”
- S.R. 281 between U.S. 90 and U.S. 98 in Santa Rosa County as “Bart D. and John R. Broxson Parkway.”
- U.S. 90/Beaver Street between Chaffee Road and U.S. 301 in Duval County as “John B. Coxwell Memorial Highway.”
- Designates U.S. 41/S.W. 8th Street between S.W. 82nd Avenue and S.R. 973/87th Avenue in Miami-Dade County as “Manuel H. ‘Manny’ Piedra Memorial Highway.”
- U.S. 441 between Deep Creek Bridge and C.R. 6 in Columbia County as “Austin D. Gay Memorial Highway.”
- I-10 between the Madison County line and mile marker 275 in Suwannee County as “Wesley L. Silas Memorial Highway.”
- U.S. 19 between Luther Wilson Road and the Econfina River Bridge in Taylor County as “Joshua S. Montaad Memorial Highway.”
- S.R. 90/S.W. 8th Street between S.W. 12th Avenue and S.W. 14th Avenue in Miami-Dade County as “Rosa Maria Plasencia Way.”

- U.S. 129/S.R. 49 between the Levy County line and the Suwannee County line in Gilchrist County as “Slaughter, Read, Ramirez, Lindsey Memorial Highway.”
- Bridges on S.R. 223 in Bradford County as the “Archibald Johns Thomas Bridge.”
- S.R. 285 between S.R. 20 and College Boulevard in Okaloosa County as “Mayor Randall Wise Memorial Highway.”
- Roundabout at S.R. 64 and Pope Road/Greyhawk Boulevard in Manatee County as “Chase Coyner and Matthew Powers Memorial Roundabout.”
- Bridges on I-275/U.S. 19/S.R. 93 in Pinellas County as the “Phoebe Jonchuck Memorial Bridge.”
- S.R. 514 between I-95 and Babcock Street S.E. in Brevard County as “Deputy Chief Lynne Nungesser Memorial Highway.”

The bill designates the Florida Highway Patrol station located in Fort Pierce as the “Trooper Joseph Bullock Building” and directs FLHSMV to erect suitable markers.

The bill requires FDOT to examine the feasibility and impact of renaming the Dixie Highway in Miami-Dade County as the Harriet Tubman Highway and report its findings to the Legislature by October 1, 2020.

Effective Date 7/01/2020

#### [Chapter 2020-081 “Sexual Battery Prosecution Time Limitation” \(HB 199 - Davis, Plakon\)](#)

*Florida Statutes: 775.15*

The bill creates “Donna’s Law” to remove the statute of limitations and permits prosecution to be commenced at any time for any sexual battery offense involving a victim younger than 18 at the time the offense is committed. The bill applies only to a qualifying offense committed on or after July 1, 2020.

Effective Date 7/01/2020

#### [Chapter 2020-066 “Illegal Taking, Possession, and Sale of Bears” \(HB 327 - Smith \(D\)\)](#)

*Florida Statutes: 379.401, 379.4041*

The bill increases the penalties for taking a bear or possessing a freshly killed bear during the closed season by specifying that a person who commits such offenses commits a Level Three violation, and forfeits any FWC license or permit issued for three years after the date of the violation. The bill further specifies that a person who commits a subsequent offense of such taking or possession is permanently ineligible for issuance of any FWC license or permit.

The bill specifies a person who possesses for sale or sells a bear taken during the closed season commits a Level Four violation, third-degree felony.

Effective Date 7/01/2020

[Chapter 2020-104 “First Responders and Correctional Officers” \(HB 573 - Casello, McClain\)](#)

*Florida Statutes: 111.09, 112.531, 112.532, 112.533*

The bill provides confidentiality for peer support communications between a first responder and a first responder peer. The bill defines “first responder” to include a law enforcement officer, firefighter, emergency medical technician, paramedic, or a 911 public safety telecommunicator. A “first responder peer” is a person who is not a health care practitioner but has training and experience working with a first responder regarding physical or emotional issues associated with the first responder’s employment.

The bill provides exceptions such as:

- The first responder peer is a defendant in a proceeding arising from a complaint filed by the first responder,
- The first responder agrees, in writing, to allow the first responder peer to testify about or divulge information related to the peer support,
- The first responder peer suspects the first responder has committed, or intends to commit, a criminal act, or
- There are articulable facts or circumstances that would lead the first responder peer to fear for the safety of the first responder, another person, or society.

The bill revises the definitions of “law enforcement officer” and “correctional officer” to include officers employed part time. The bill further specifies that the 180-day provision applies regardless of the origin of the allegation or complaint. Therefore, disciplinary action may not be taken against an officer for external or internal complaints unless the investigation is completed within 180 days. If the agency determines that disciplinary action is appropriate, the officer must be provided written notice within the 180 days.

The bill also allows an agency head or the agency head’s designee to request a sworn or certified investigator from a separate law enforcement or correctional agency to conduct an investigation when there is a conflict of interest or the employing agency does not have an investigator with sufficient training to conduct the investigation.

Effective Date 7/01/2020

[Chapter 2020-135 “Department of Agriculture and Consumer Services \(DACS\)” \(HB 921 - Brannan\)](#)

*Florida Statutes: 316.520, 527.01, 527.0201, 540.441, 581.217, 590.02, 597.003, 633.408*

The bill removes the 20-mile maximum distance that a vehicle carrying agricultural products may travel on roads where the posted speed limit is 65 miles per hour or less without covering and securing the load.

The bill requires DACS to establish by rule certain requirements related to competency examinations required for LP gas licensure as well as licenses to service and repair recreational vehicles. The bill also revises the eligibility requirements for applying to be a master qualifier for a LP gas business.

The bill amends the definition for the term “hemp extract;” amends the packaging and labeling requirements for hemp extract; provides that hemp extract distributed or sold in the state in violation of the hemp extract labeling requirements is considered adulterated or misbranded; and prohibits the sale of products that contain hemp extract intended for inhalation to persons under 21 years of age.



The Florida Forest Service (FFS) firefighters must complete a fire training course approved by the Florida State Fire College of the Division of State Fire Marshal and a minimum of 250 hours of wildfire training. The bill requires the FFS firefighter training curriculum to include a minimum of 40 hours each of structural firefighter training and emergency medical training and to increase the minimum number of hours of wildfire training required from 250 hours to 376 hours.

Effective Date 7/01/2020

### [Chapter 2020-107 “Children’s Mental Health” \(HB 945 - Silvers, Webb\)](#)

*Florida Statutes: 394.493, 394.495, 394.4955, 394.9082, 409.175, 409.967, 409.988, 985.601, 1003.02, 1004.44, 1006.04, 1002.20, 1002.33*

The bill creates a coordinated system of mental health care for children, the development of which is facilitated by each behavioral health managing entity. The system must integrate services delivered through providers funded by the state’s child-serving systems, as well as other systems for which children and adolescents would qualify and facilitate access by children and adolescents to needed mental health treatment and services at any point of entry.

The bill includes crisis response services provided through mobile response teams (MRT) in the array of services available to children and adolescents who are members of certain target populations and specifies the elements of that service. Mobile response teams must collaborate with local sheriff’s offices and public schools with planning and development. It also requires the establishment of response protocols with local law enforcement and local community-based care agencies. The bill requires a principal or designee to verify that de-escalation strategies have been used with a student and outreach to a MRT has been initiated before contacting a law enforcement officer to initiate an involuntary examination of a student, unless a delay will increase the likelihood of harm to the student or others.

The bill requires the Department of Children and Families (DCF) and the Agency for Health Care Administration (AHCA) to identify children and adolescents who are the highest users of crisis stabilization services, collaboratively take action to meet the behavioral health needs of such children and jointly submit a quarterly report to the Legislature for two years. The bill also requires DCF and AHCA to assess the quality of care provided in crisis stabilization units to children and adolescents who are high utilizers of such services and jointly submit a report to the Governor and Legislature.

Effective Date 7/01/2020

### [Chapter 2020-069 “Electric Bicycles” \(HB 971 - Grant \(M\)\)](#)

*Florida Statutes: 261.03, 316.003, 316.008, 316.027, 316.083, 316.1995, 316.2065, 316.20655, 316.613, 316.614, 320.01, 322.01, 324.021, 403.717, 681.102, 320.08, 316.306, 655.960*

The bill removes e-bikes from the definition of the term “bicycle” and creates a new definition for e-bikes using a three-tiered classification system.

- Class 1 e-bike is a bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the e-bike reaches 20 mph.
- Class 2 e-bike is a bicycle equipped with a throttle-assisted motor that may be used exclusively to propel the bicycle and that ceases to provide assistance when the e-bike reaches 20 mph.
- Class 3 e-bike is a bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the e-bike reaches 28 mph.

The bill creates regulations governing the operation of e-bikes and provides that e-bikes and e-bike operators must be afforded all the rights and privileges, and be subject to all the duties, of bicycles and bicycle operators. The bill authorizes e-bikes to operate where bicycles are allowed, including, but not limited to, streets, highways, roadways, shoulders, bicycle lanes, and bicycle or multiuse paths. However, local governments may regulate the operation of e-bikes on streets, highways, sidewalks, and sidewalk areas, and local governments and state agencies with jurisdiction over bicycle paths, multiuse paths, and trail networks may restrict or prohibit the operation of e-bikes on such paths and networks.

The bill provides that e-bikes and e-bike operators are not subject to the provisions of law relating to financial responsibility, driver or motor vehicle licenses, vehicle registration, title certificates, off-highway motorcycles, or off-highway vehicles.

Effective Date 7/01/2020

### [Chapter 2020-108 "Motor Vehicle Dealers" \(HB 977 - Rommel\)](#)

*Florida Statutes: 324.021*

The bill provides that a motor vehicle dealer, or a dealer's leasing or rental affiliate, that provides a temporary replacement vehicle to a customer whose vehicle is being held for repair, service, or adjustment by the dealer is immune from vicarious liability in a civil proceeding. This immunity applies as long as there is no negligent or criminal wrongdoing by the dealer or affiliate. In addition, the bill requires the motor vehicle dealer, or the dealer's leasing or rental affiliate, to execute a written rental or use agreement and obtain a copy of the vehicle operator's driver license and insurance information to qualify for the immunity from vicarious liability.

Effective Date 7/01/2020

### [Chapter 2020-160 "Deregulation of Professions and Occupations" \(HB 1193 - Ingoglia\)](#)

*Florida Statutes: 322.57 (other statutes included)*

The bill allows FLHSMV to waive the requirement to pass the examination for a CDL for a military service member or veteran with specified training, including having at least two years of military experience in driving vehicles that would otherwise require a CDL to operate. To qualify for the waiver, the person must be honorably discharged from military service within one year of the application for the waiver. The person must complete every other requirement for a commercial driver's license within one year of receiving a waiver.

Effective Date 7/01/2020

### [Chapter 2020-027 "Community Affairs" \(HB 1339 - Yarborough\)](#)

*Florida Statutes: 320.77, 320.771, 320.822, 320.8232 (other statutes included)*

The bill removes the requirement that a place of business of a mobile home dealer must afford sufficient unoccupied space to store all mobile homes offered and displayed for sale. Under the bill, the place of business of a mobile home dealer must have sufficient space to display a manufactured home as a model home. The bill includes an exemption for recreational vehicle dealers to be insured under a garage liability insurance policy if the dealer sells only park trailers.



The bill revises the term from “Mobile Home Repair and Remodeling Code” to the “Mobile and Manufactured Home Repair and Remodeling Code” and requires the code to be a uniform code. Repairs and remodeling of mobile and manufactured homes must be performed in accordance with rules of the FLHSMV.

Effective Date 7/01/2020 \*Multiple Effective Dates\*

### [Chapter 2020-161 “Technology Innovation” \(HB 1391 - Grant \(J\), Toledo\)](#)

*Florida Statutes: 20.22, 110.205,282.0041, 282.0051, 282.00515, 282.318, 287.0591, 365.171, 365.172, 365.173, 943.0415, 559.952*

The bill:

- Abolishes Division of State Technology (DST), establishes the Florida Digital Service (FDS) in its place, and creates the Division of Telecommunications within DMS.
- Places new duties and responsibilities under the newly created FDS and expands the duties and responsibilities currently assigned to DMS and DST, including the development and implementation of standards for the enterprise with a focus on interoperability and enforcement of the state’s cloud-first policy.
- Requires FDS to create and maintain a comprehensive data catalog that lists the data elements housed within each state agency, as well as directs FDS to create a data dictionary.
- Allows cabinet agencies to adopt alternative IT architecture, project management, and reporting standards than those developed by FDS.
- Requires FDS to conduct a market analysis at least every three years to determine whether IT resources within each state agency are used in the most cost-effective manner, whether agencies are complying with the state’s cloud first policy, and whether agencies are using best practices with respect to IT.
- Removes DST as the head of the E911 system in Florida and places the Division of Telecommunications as its new head.

The bill also creates the Financial Technology Sandbox (sandbox) within the Office of Financial Regulation (OFR) to allow a sandbox licensee to make an innovative financial product or service available to consumers as a money transmitter, payment instrument seller, or lender of consumer finance loans during a sandbox period that is initially 24 months but can be extended one time for an additional 12 months. Upon approval of an application, a sandbox licensee is exempt from specified provisions of general law and the corresponding rule requirements during the sandbox period. OFR may initially authorize a sandbox licensee to provide the financial product or service to a maximum of 15,000 consumers but may authorize up to 25,000 consumers if the sandbox licensee demonstrates adequate financial capitalization, risk management processes, and management oversight.

Effective Date 7/01/2020 \*Multiple Effective Dates\*

### [Chapter 2020-062 “Police Vehicles” \(SB 1508 - Taddeo\)](#)

*Florida Statutes: 319.14*

The bill requires that before a person knowingly sells, exchanges, or transfers a police vehicle, a person must remove any police markings from the vehicle and provide the purchaser, customer, or transferee with an official letter of notification from the law enforcement agency, seller, or auction house affirming that the vehicle has had all police markings removed. The bill defines the term “police markings” to mean decals, stickers, distinctive paint schemes, or other markings attached or applied to a police vehicle that identify the vehicle as a police vehicle.

The bill provides that sales, exchanges, or transfers of police vehicles to members of the general public for the purpose of collection or display are exempt from these requirements; however, the seller, exchanger, or transferor must provide written notice that use of the vehicle for impersonation of a public officer or employee is a third degree felony. Sales, exchanges, or transfers of police vehicles between law enforcement agencies also are exempt from these requirements.

Effective Date 7/01/2020

### [Chapter 2020-063 "Insurance Administration" \(SB 1606 - Perry\)](#)

*Florida Statutes: 319.30, 440.12, 440.20, 624.155, 624.307, 624.315, 624.422, 626.321, 627.062, 627.0651, 627.410, 627.714, 627.7295, 647.01, 647.02, 647.03, 647.04, 647.05, 647.06, 647.07, 647.08*

Motor Vehicle Salvage – Current Florida law exceeds the federal standard for electronic signature security on motor vehicle odometer disclosures. Effective upon becoming law, the bill conforms the requirements to the federal requirements, which requires Level 2 security for a certificate of destruction and a salvage certificate of title.

Effective Date 7/01/2020 \*Multiple Effective Dates\*

### [Chapter 2020-021 Essential State Infrastructure \(SB 7018 - Infrastructure and Security\)](#)

*Florida Statutes: 337.401, 338.236, 339.287, 704.06,*

The bill provides that all permit applications required by a county or municipality for use of the public right-of-way for any type of utility must be processed within specified timeframes. Under this process, a completed permit application is deemed approved if the authority fails to approve or deny the application within 60 days of receipt, unless the review period is extended by mutual agreement.

The bill authorizes the Department of Transportation (DOT) to plan, design, and construct staging areas for emergency response on the turnpike system for the staging of emergency supplies, equipment, and personnel to facilitate the prompt provision of emergency assistance to the public during a declared state of emergency.

The bill requires DOT, by July 1, 2021, to coordinate, develop, and recommend a master plan for EV charging stations on the State Highway System. The bill requires the plan to include recommendations for legislation and directs DOT to consult with certain entities, including the Public Service Commission and the Office of Energy, to develop the plan.

The bill specifies that, for any land used for agriculture and subject to a conservation easement, the owner of the land is not prohibited from voluntarily negotiating the use of the land for any public or private linear facility, right of access, and related appurtenances.

Effective Date 7/01/2020

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## The following bills take effect October 1, 2020:

### [Chapter 2020-082 “Unlawful Use of Uniforms, Medals, or Insignia” \(HB 205 - Avila, Sabatini\)](#)

*Florida Statutes: 817.312*

The bill specifies that “material gain” for purposes of the prohibition pertaining to using a military uniform, medal, or insignia or misrepresenting himself or herself as a military member or veteran for the purpose of material gain, includes, but is not limited to, obtaining employment or political office resulting in receiving compensation. The bill updates Florida's law to mirror more closely the Federal Stolen Valor Act of 2013.

Effective Date 10/01/2020

### [Chapter 2020-083 “Bail Pending Appellate Review” \(HB 333 - Leek\)](#)

*Florida Statutes: 903.133*

The bill expands the list of offenses for which a conviction prohibits a court from granting bail to a defendant pending appeal to include any offense requiring registration as a sexual offender or sexual predator, if, at the time of the offense:

- The defendant was 18 or older; and
- The victim was a minor

Effective Date 10/01/2020

### [Chapter 2020-007 “License Plate Fees” \(HB 387 - Hogan Johnson\)](#)

*Florida Statutes: 320.08056*

The bill creates a uniform annual use fee for specialty license plates. Specifically, the bill provides that unless the amount of an annual use fee is otherwise specified for a particular specialty license plate, the annual use fee of \$25 will be charged for any specialty license plate that is required to be developed.

Effective Date 10/01/2020

### [Chapter 2020-178 “Driver Licenses and Identification Cards” \(HB 787 - Tomkow\)](#)

*Florida Statutes: 322.08, 322.14*

The bill authorizes an optional “D” designation on the driver license of a person who has been diagnosed with a developmental disability. The licensee, or his or her parent or legal guardian, must present FLHSMV with sufficient proof that a licensed physician has diagnosed the licensee with a developmental disability. Additionally, a licensee, or his or her parent or legal guardian, may surrender his or her current driver license at any time to add or remove a “D” designation. If the applicant is not conducting any other transaction affecting the driver license, the standard \$25 replacement fee is waived.

The bill also requires FLHSMV to include an option on the driver license or identification card application form to make a voluntary contribution of \$1 or more to Childhood Cancer Care to be distributed to the Live Like Bella Childhood Cancer Foundation.

Effective Date 10/01/2020

### [Chapter 2020-181 License Plates \(HB 1135 - Grant \(J\)\)](#)

*Florida Statutes: 320.06, 320.0657, 320.08, 320.08053, 320.08056, 320.08058, 320.08062, 320.08068, 320.0807, 320.0875, 320.089, 320.0891, 320.0894*

The bill makes several changes related to specialty and special license plates, including establishing a cap of 150 specialty license plates (SLPs), providing a process for the discontinuation of low performing SLPs and the addition of new SLPs, and creating 32 new SLPs. The bill authorizes FLHSMV to issue SLPs for fleet and motor vehicle dealer vehicles. The bill also removes existing provisions from law that delineate the \$25 annual use fee for various specialty license plates. HB 387, which is linked to this bill, establishes an annual use fee of \$25 for any specialty license plate unless the amount is otherwise specified in law.

The bill authorizes the election of a permanent registration period for certain for-hire vehicles provided the appropriate license taxes and fees are paid annually.

Effective Date 10/01/2020 \*Multiple Effective Dates\*

### [Chapter 2020-059 "Contraband in Specified Facilities" \(SB 1286 - Simmons\)](#)

*Florida Statutes: 916.1085, 944.47, 951.22, 985.711, 921.0022,*

The bill prohibits introducing the following into a DCF facility, state prison, county jail, or juvenile detention facility:

- Medical marijuana, hemp, and industrial hemp, punishable as a second- or third-degree felony.
- Any vapor-generating electronic device, if introduced inside a secure perimeter, punishable as a first-degree misdemeanor.
- Adds cellular phones and other portable communication devices to the list of contraband items in DCF forensic facilities and juvenile detention facilities, if introduced inside the secure perimeter, punishable as a first-degree misdemeanor.

The bill clarifies that introducing an intoxicating beverage or an item designated as contraband by DCF into a DCF facility is a first-degree misdemeanor.

Felony offenses are ranked on the offense severity ranking chart from least severe (level 1) to most severe (level 10). The offense level, combined with other factors such as an offender's prior criminal record, determines the lowest permissible sentence for an offense. The bill ranks the previously unranked offense of introducing a firearm or deadly weapon or a controlled substance under chapter 893, F.S., into a DCF facility as a level four offense.

Effective Date 10/01/2020

### [Chapter 2020-048 "OGSR/Email Addresses/FLHSMV" \(HB 7001 - Oversight, Transparency & Public Management\)](#)

*Florida Statutes: 119.0712*

FLHSMV is the custodian of motor vehicle records, which contain personal information about drivers and motor vehicle owners. FLHSMV is authorized to collect and use e-mail addresses for the purpose of providing title certificate notifications, motor vehicle registration renewal notices, and driver license

renewal notices. The bill saves from repeal the public record exemption for such e-mail addresses collected by FLHSMV.

Effective Date 10/01/2020

[Chapter 2020-166 OGSR/Taxpayer email addresses held by a Tax Collector \(SB 7004 - Finance and Tax\)](#)

*Florida Statutes: 197.3225*

The bill continues to exempt from public disclosure those taxpayer e-mail addresses held by a tax collector for the purposes of:

- Sending a quarterly tax notice for prepayment of estimated taxes pursuant to s. 197.222, F.S.;
- Obtaining the taxpayer's consent to send the tax notice described in s. 197.322(3), F.S.;
- Sending an additional tax notice or delinquent tax notice to the taxpayer pursuant to s. 197.343, F.S.; or
- Sending a tax notice to a designated third party, mortgagee, or vendee pursuant to s. 197.344(1), F.S.

Effective Date 10/01/2020

[Chapter 2020-183 "OGSR/Body Camera Recordings" \(HB 7015 - Oversight, Transparency & Public Management\)](#)

*Florida Statutes: 119.071*

The bill saves from repeal the public record exemption that provides that a body camera recording, or a portion thereof, is confidential and exempt from public record requirements, if the recording is taken:

- Within the interior of a private residence;
- Within the interior of a facility that offers health care, mental health care, or social services; or
- In a place that a reasonable person would expect to be private.

Effective Date 10/01/2020

[Chapter 2020-170 OGSR/Human Trafficking Victims \(HB 7019 - Oversight, Transparency & Public Management\)](#)

*Florida Statutes: 119.071, 943.0583*

The bill saves from repeal the public record exemption for the following criminal intelligence and criminal investigative information:

- Any information that reveals the identity of a person under the age of 18 who is the victim of a crime of human trafficking for labor or services;
- Any information that reveals the identity of the victim of the crime of child abuse;
- Any information that may reveal the identity of a person who is a victim of any sexual offense;
- Any information that may reveal the identity of a person who is the victim of a crime of human trafficking for commercial sexual activity; and
- A photograph, videotape, or image of any part of the body of a victim of a crime of certain sexual offenses, including human trafficking involving commercial sexual activity.

Additionally, a separate but related public record exemption provides that criminal intelligence and criminal investigative information that reveals or may reveal the identity of a victim of human

trafficking whose criminal history has been expunged or ordered expunged is confidential and exempt from public records requirements. The information contained in both exemptions may be shared by a law enforcement agency in certain instances.

Effective Date 10/01/2020

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## The following bills take effect January 1, 2021:

### [Chapter 2020-064 "School Bus Safety" \(HB 37 - Slosberg, Zika\)](#)

*Florida Statutes: 318.18*

The bill increases the minimum civil penalty for failure to stop for a school bus from \$100 to \$200. For a subsequent offense within five years, FLHSMV must suspend the driver license of the driver for not less than six months and not more than one year. The bill also increases the minimum civil penalty for passing a school bus on the side that children enter and exit from \$200 to \$400. For a subsequent offense within five years, FLHSMV must suspend the driver license of the driver for not less than one year and not more than two years.

Effective Date 01/01/2021