

1                                   A bill to be entitled  
2           An act relating to electric, hybrid, and hydrogen  
3           vehicles; prohibiting certain entities from charging  
4           parking fees for electric, hybrid, and hydrogen  
5           vehicles that are parked in certain parking spaces or  
6           facilities; prohibiting entities that collect toll  
7           revenues from toll facilities from imposing, charging,  
8           or collecting tolls from drivers of electric, hybrid,  
9           or hydrogen vehicles; amending s. 212.08, F.S.;  
10          exempting the sale of certain electric, hybrid, and  
11          hydrogen vehicles from the sales and use tax until a  
12          specified date or until a certain number of such  
13          vehicles are registered with the Department of Highway  
14          Safety and Motor Vehicles; defining terms; amending s.  
15          272.161, F.S.; prohibiting the Department of  
16          Management Services from charging a user fee to state  
17          employees who park electric, hybrid, or hydrogen  
18          vehicles in reserved parking spaces; amending s.  
19          316.1967, F.S.; specifying that persons who own  
20          electric, hybrid, or hydrogen vehicles are exempt from  
21          payment of certain public parking violations imposed  
22          by counties and municipalities; amending s. 320.03,  
23          F.S.; conforming a cross-reference; amending s.  
24          320.072, F.S.; exempting the registration of electric,  
25          hybrid, and hydrogen vehicles from motor vehicle  
26          registration fees; providing an effective date.

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

Section 1. (1) The state, a county, a municipality, or any agency thereof, including a municipal parking facility, a publicly owned or publicly operated airport, a Florida College System institution board of trustees, or a district school board may not charge a parking fee for an electric, a hybrid, or a hydrogen vehicle that is parked in a metered or timed parking space or any other parking facility, or if a long-term parking space will be leased or rented to such vehicle.

(2) Notwithstanding any law to the contrary, the Department of Transportation, a transportation or expressway authority, or in the absence of an authority, a county that collects toll revenues from toll facilities may not impose, charge, or collect a toll from the driver of an electric, a hybrid, or a hydrogen vehicle that passes through the toll facility.

Section 2. Paragraph (ooo) is added to subsection (7) of section 212.08, Florida Statutes, to read:

212.08 Sales, rental, use, consumption, distribution, and storage tax; specified exemptions.—The sale at retail, the rental, the use, the consumption, the distribution, and the storage to be used or consumed in this state of the following are hereby specifically exempt from the tax imposed by this chapter.

53 (7) MISCELLANEOUS EXEMPTIONS.—Exemptions provided to any  
54 entity by this chapter do not inure to any transaction that is  
55 otherwise taxable under this chapter when payment is made by a  
56 representative or employee of the entity by any means,  
57 including, but not limited to, cash, check, or credit card, even  
58 when that representative or employee is subsequently reimbursed  
59 by the entity. In addition, exemptions provided to any entity by  
60 this subsection do not inure to any transaction that is  
61 otherwise taxable under this chapter unless the entity has  
62 obtained a sales tax exemption certificate from the department  
63 or the entity obtains or provides other documentation as  
64 required by the department. Eligible purchases or leases made  
65 with such a certificate must be in strict compliance with this  
66 subsection and departmental rules, and any person who makes an  
67 exempt purchase with a certificate that is not in strict  
68 compliance with this subsection and the rules is liable for and  
69 shall pay the tax. The department may adopt rules to administer  
70 this subsection.

71 (ooo) Electric, hybrid, and hydrogen vehicles.—The sale of  
72 an electric vehicle, a hybrid vehicle, or a hydrogen vehicle is  
73 exempt from the tax imposed by this chapter if the vehicle owner  
74 is a Florida resident as defined in s. 317.0003(4) and the  
75 vehicle is purchased from a motor vehicle dealer in the state as  
76 defined in s. 320.27(1). As used in this paragraph, the term  
77 "electric vehicle" means a motor vehicle that is powered solely  
78 by electricity produced by rechargeable storage batteries. The

79 term "hybrid vehicle" has the same meaning as in s. 316.0741.  
 80 The term "hydrogen vehicle" means a motor vehicle that is  
 81 powered solely by hydrogen used in a fuel cell or an internal  
 82 combustion engine. This paragraph expires on June 30, 2020, or  
 83 when a total of 75,000 electric, hybrid, or hydrogen vehicles  
 84 are registered with the Department of Highway Safety and Motor  
 85 Vehicles, whichever date occurs first.

86 Section 3. Paragraph (a) of subsection (1) and subsection  
 87 (5) of section 272.161, Florida Statutes, are amended to read:

88 272.161 Rental of reserved parking spaces.—

89 (1) (a) The Department of Management Services may assign a  
 90 reserved parking space to any state employee, qualified state  
 91 employee car pool, provider of essential services to the state,  
 92 or state agency for reassignment to its employees. Any state  
 93 agency assigned a reserved parking space shall charge the user  
 94 of such space, except a qualified state employee car pool or a  
 95 state employee who will park an electric, a hybrid, or a  
 96 hydrogen vehicle in such space, a fee in accordance with  
 97 guidelines established by the department.

98 (5) The Department of Management Services shall establish  
 99 fees on all state-owned reserved parking spaces, except those  
 100 assigned to qualified state employee car pools or to state  
 101 employees who park electric, hybrid, or hydrogen vehicles in  
 102 such spaces, under the jurisdiction of the department. The  
 103 department shall also issue loading zone permits and scramble  
 104 parking permits for a fee sufficient to cover the cost of

105 administering the permits and maintaining the parking areas.

106 Section 4. Subsection (6) of section 316.1967, Florida  
 107 Statutes, is renumbered as subsection (7), and a new subsection  
 108 (6) is added to that section to read:

109 316.1967 Liability for payment of parking ticket  
 110 violations and other parking violations.—

111 (6) Notwithstanding any provision of subsection (2),  
 112 subsection (3), or subsection (4), a person who owns a  
 113 registered electric, hybrid, or hydrogen vehicle is exempt from  
 114 the payment of public parking violations otherwise imposed by a  
 115 county or municipality on that vehicle.

116 Section 5. Subsection (8) of section 320.03, Florida  
 117 Statutes, is amended to read:

118 320.03 Registration; duties of tax collectors;  
 119 International Registration Plan.—

120 (8) If the applicant's name appears on the list referred  
 121 to in s. 316.1001(4), s. 316.1967(7) ~~316.1967(6)~~, s. 318.15(3),  
 122 or s. 713.78(13), a license plate or revalidation sticker may  
 123 not be issued until that person's name no longer appears on the  
 124 list or until the person presents a receipt from the  
 125 governmental entity or the clerk of court that provided the data  
 126 showing that the fines outstanding have been paid. This  
 127 subsection does not apply to the owner of a leased vehicle if  
 128 the vehicle is registered in the name of the lessee of the  
 129 vehicle. The tax collector and the clerk of the court are each  
 130 entitled to receive monthly, as costs for implementing and

131 administering this subsection, 10 percent of the civil penalties  
132 and fines recovered from such persons. As used in this  
133 subsection, the term "civil penalties and fines" does not  
134 include a wrecker operator's lien as described in s. 713.78(13).  
135 If the tax collector has private tag agents, such tag agents are  
136 entitled to receive a pro rata share of the amount paid to the  
137 tax collector, based upon the percentage of license plates and  
138 revalidation stickers issued by the tag agent compared to the  
139 total issued within the county. The authority of any private  
140 agent to issue license plates shall be revoked, after notice and  
141 a hearing as provided in chapter 120, if he or she issues any  
142 license plate or revalidation sticker contrary to the provisions  
143 of this subsection. This section applies only to the annual  
144 renewal in the owner's birth month of a motor vehicle  
145 registration and does not apply to the transfer of a  
146 registration of a motor vehicle sold by a motor vehicle dealer  
147 licensed under this chapter, except for the transfer of  
148 registrations which includes the annual renewals. This section  
149 does not affect the issuance of the title to a motor vehicle,  
150 notwithstanding s. 319.23(8)(b).

151 Section 6. Paragraph (h) is added to subsection (2) of  
152 section 320.072, Florida Statutes, to read:

153 320.072 Additional fee imposed on certain motor vehicle  
154 registration transactions.—

155 (2) The fee imposed by subsection (1) shall not apply to:

156 (h) The registration of any electric vehicle or hydrogen

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157 | vehicle as those terms are defined in s. 212.08(7) or any hybrid  
158 | vehicle as that term is defined in s. 316.0741.

159 |       Section 7. This act shall take effect July 1, 2016.