

By Senator Silver

38-1374-98

1 A bill to be entitled
2 An act relating to motor vehicle licenses;
3 amending s. 320.06, F.S.; eliminating the
4 requirement that a permanent validation sticker
5 be issued in connection with each license plate
6 and revising requirements relating to the
7 annual validation sticker; requiring that an
8 annual validation decal be issued in connection
9 with each license plate in addition to the
10 annual validation sticker; providing
11 exemptions; amending ss. 320.03, 320.031, F.S.;
12 providing for issuance of decals by tax
13 collectors and delivery of decals by mail;
14 amending s. 320.061, F.S.; providing a penalty
15 for altering a decal; amending s. 320.07, F.S.;
16 providing penalties for operating a motor
17 vehicle without a current decal; amending s.
18 320.071, F.S.; providing for issuance of decals
19 as part of the advance registration renewal
20 process; providing a penalty; amending s.
21 320.0801, F.S.; imposing a license tax;
22 providing for the tax proceeds to be deposited
23 in the Highway Safety Operating Trust Fund;
24 amending s. 320.26, F.S.; providing a penalty
25 for counterfeiting decals; amending s. 320.261,
26 F.S.; providing a penalty for attaching a decal
27 to a vehicle to which the decal was not
28 assigned; amending ss. 320.04, 320.0607,
29 320.0657, 320.084, 320.10, 921.0012, F.S.,
30 relating to service charges, replacement plates
31 and decals, fleet license plates, disabled

1 veterans' license plates, licensing of exempt
2 vehicles, and a sentencing guidelines ranking
3 chart, to conform; providing an effective date.

4
5 WHEREAS, stolen automobile license plates and
6 validation stickers are increasingly being used by persons
7 driving illegally or using automobiles in the commission of
8 crimes, and

9 WHEREAS, use of these stolen plates and stickers
10 presents a serious problem for law enforcement officials, and

11 WHEREAS, an additional validation decal required to be
12 placed inside a vehicle, which would become invalid when
13 removed, would present a major impediment to the use of stolen
14 license plates, NOW, THEREFORE,

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Section 320.06, Florida Statutes, is
19 amended to read:

20 320.06 Registration certificates, license plates, ~~and~~
21 validation stickers, and validation decals generally.--

22 (1)(a) Upon the receipt of an initial application for
23 registration and payment of the appropriate license tax and
24 other fees required by law, the department shall assign to the
25 motor vehicle a registration license number consisting of
26 letters and numerals or numerals and issue to the owner or
27 lessee a certificate of registration and one registration
28 license plate, unless two plates are required for display by
29 s. 320.0706, for each vehicle so registered.

30 (b) Registration license plates bearing a graphic
31 symbol and the alphanumeric system of identification shall be

1 issued for a 5-year period. At the end of said 5-year period,
2 upon renewal, the plate shall be replaced and the department
3 shall determine the replacement date for plates issued prior
4 to October 1, 1985. The fee for such replacement shall be
5 \$10, \$2 of which shall be paid each year before the plate is
6 replaced, to be credited towards the next \$10 replacement fee.
7 The fees shall be deposited into the Highway Safety Operating
8 Trust Fund. A credit or refund shall not be given for any
9 prior years' payments of such prorated replacement fee when
10 the plate is replaced or surrendered before the end of the
11 5-year period. Except as provided in paragraph (d), with each
12 license plate, there shall be issued a validation decal, which
13 must be placed on the inside lower corner of the rear window
14 on the driver's side ~~sticker showing the owner's birth month~~
15 ~~or the appropriate renewal period if the owner is not a~~
16 ~~natural person.~~ This validation decal must bear the same
17 number as the license plate and must show the owner's birth
18 month and the year of expiration or other appropriate renewal
19 period ~~sticker shall be placed on the upper left corner of the~~
20 ~~license plate and shall be issued one time during the life of~~
21 ~~the license plate, or upon request when it has been damaged or~~
22 ~~destroyed. There shall also be issued with each license plate~~
23 ~~a serially numbered validation sticker showing the year of~~
24 ~~expiration, which sticker shall be placed on the upper right~~
25 ~~corner of the license plate.~~Such license plate and validation
26 decal must ~~stickers shall~~ be issued based on the applicant's
27 appropriate renewal period. The registration period shall be
28 a period of 12 months, and all expirations shall occur based
29 on the applicant's appropriate registration period. A vehicle
30 with an apportioned registration shall be issued an annual
31 license plate and a cab card that denote the declared gross

1 vehicle weight for each apportioned jurisdiction in which the
2 vehicle is authorized to operate.

3 (c) A registration license plate ~~plates~~ equipped with
4 a validation sticker, as provided in paragraph (d), or a
5 validation decal on a vehicle, as provided in paragraph (b),
6 ~~stickers~~ shall be valid for not more than 12 months and shall
7 expire at midnight on the last day of the registration period.
8 For each registration period after the one in which the metal
9 registration license plate is issued, and until the license
10 plate is required to be replaced, a validation sticker or
11 validation decal showing the year of expiration shall be
12 issued upon payment of the proper license tax amount and fees
13 and shall be valid for not more than 12 months. When a license
14 plate ~~plates~~ equipped with a validation sticker or a
15 validation decal for a vehicle is ~~stickers are~~ issued in any
16 month other than the owner's birth month or the designated
17 registration period for any other motor vehicle, the effective
18 date shall reflect the birth month or month and the year of
19 renewal. However, when a license plate, or validation sticker,
20 or validation decal is issued for a period of less than 12
21 months, the applicant shall pay the appropriate amount of
22 license tax and the applicable fee under the provisions of s.
23 320.14 in addition to all other fees. Validation decals
24 ~~stickers~~ issued for vehicles taxed under the provisions of s.
25 320.08(6)(a), for any company that ~~which~~ owns 250 vehicles or
26 ~~more, or for semitrailers taxed under the provisions of s.~~
27 ~~320.08(5)(a), for any company which owns 50 vehicles or more,~~
28 may be placed on any vehicle in the fleet so long as the
29 vehicle receiving the validation decal ~~sticker~~ has the same
30 owner's name and address as the vehicle to which the
31 validation sticker was originally assigned. Validation

1 stickers issued for semitrailers taxed under s. 320.08(5)(a),
2 for any company that owns 50 vehicles or more, may be placed
3 on any vehicle in the fleet as long as the vehicle receiving
4 the validation sticker has the same owner's name and address
5 as the vehicle to which the validation sticker was originally
6 assigned.

7 (d) Any vehicle taxed under s. 320.08(1), (2)(a),
8 (3)(d) or (e), (4)(g), (h), (i), (j), (k), (l), (m), or (n),
9 (5), (7), (8), (9)(a) or (b), (10), (11), or (12) is not
10 required to be issued or to display a validation decal. With
11 each license plate, there must be issued a validation sticker
12 showing the owner's birth month or the appropriate renewal
13 period if the owner is not a natural person. This validation
14 sticker must be placed on the upper left corner of the license
15 plate. There must also be issued with each license plate a
16 serially numbered validation sticker showing the year of
17 expiration, which sticker must be placed in the upper right
18 corner of the license plate.

19 (2) The department shall provide the several tax
20 collectors and license plate agents with the necessary number
21 of validation stickers and validation decals.

22 (3)(a) Registration license plates shall be of metal
23 specially treated with a retroreflective material, as
24 specified by the department. The registration license plate is
25 designed to increase nighttime visibility and legibility and
26 shall be at least 6 inches wide and not less than 12 inches in
27 length, unless the department determines that a plate with
28 reduced dimensions is deemed necessary by the department to
29 accommodate motorcycles, mopeds, or similar smaller vehicles.
30 Validation stickers shall be treated with a retroreflective
31 material, shall be of such size as specified by the

1 department, and shall adhere to the license plate. The
2 registration license plate shall be imprinted with a
3 combination of bold letters and numerals or numerals, not to
4 exceed seven digits, to identify the registration license
5 plate number. The license plate shall also be imprinted with
6 the word "Florida" at the top and the name of the county in
7 which it is sold at the bottom, except that apportioned
8 license plates shall have the word "Apportioned" at the bottom
9 and license plates issued for vehicles taxed under s.
10 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), (12), or (14)
11 shall have the word "Restricted" at the bottom. License plates
12 issued for vehicles taxed under s. 320.08(12) must be
13 imprinted with the word "Florida" at the top and the word
14 "Dealer" at the bottom, except that gross-vehicle-weight
15 vehicles owned by a licensed motor vehicle dealer may be
16 issued a license plate with the word "Restricted." License
17 plates issued for vehicles taxed under s. 320.08(5)(d) or (e)
18 must be imprinted with the word "Wrecker" at the bottom. Any
19 county may, upon majority vote of the county commission, elect
20 to have the county name removed from the license plates sold
21 in that county. The words "Sunshine State" shall be printed in
22 lieu thereof. In those counties where the county commission
23 has not removed the county name from the license plate, the
24 tax collector may, in addition to issuing license plates with
25 the county name printed on the license plate, also issue
26 license plates with the words "Sunshine State" printed on the
27 license plate subject to the approval of the department and a
28 legislative appropriation for the additional license plates.
29 A license plate issued for a vehicle taxed under s. 320.08(6)
30 may not be assigned a registration license number, or be
31 issued with any other distinctive character or designation,

1 that distinguishes the motor vehicle as a for-hire motor
2 vehicle.

3 (b) An additional fee of 50 cents shall be collected
4 on each motor vehicle registration or motor vehicle renewal
5 registration issued in this state in order that all license
6 plates and validation stickers be fully treated with
7 retroreflective material.

8 (4)(a) In order to enable the Department of
9 Corrections to manufacture the license plates authorized
10 herein, the department is authorized to prepay to the
11 Department of Corrections the amount required to purchase the
12 materials needed for the manufacture of reflectorized license
13 plates. The amount prepaid may not exceed the amount of the
14 appropriation made to the Department of Highway Safety and
15 Motor Vehicles, but shall be sufficient to enable the
16 Department of Corrections to meet the requirements of this
17 chapter.

18 (b) For the purposes of authorizing the corporation
19 organized pursuant to chapter 946 to manufacture license
20 plates and validation stickers for the Department of Highway
21 Safety and Motor Vehicles as provided in this chapter, the
22 reference to the Department of Corrections in paragraph (a)
23 means the Department of Corrections or the corporation
24 organized pursuant to chapter 946, and the Department of
25 Highway Safety and Motor Vehicles is not required to obtain
26 competitive bids in order to contract with such corporation.

27 Section 2. Subsections (1), (2), (3), and (8) of
28 section 320.03, Florida Statutes, are amended to read:

29 320.03 Registration; duties of tax collectors;
30 International Registration Plan.--

31

1 (1) The tax collectors in the several counties of the
2 state, as authorized agents of the department, shall issue
3 registration certificates, registration license plates,
4 validation stickers, validation decals, and mobile home
5 stickers to applicants, subject to the requirements of law, in
6 accordance with rules of the department. Any person, firm, or
7 corporation representing itself, through advertising or naming
8 of the business, to be an authorized agent of the department
9 shall be deemed guilty of an unfair and deceptive trade
10 practice as defined in part II of chapter 501. No such
11 person, firm, or corporation shall use either the state or
12 county name as a part of their business name when such use can
13 reasonably be interpreted as an official state or county
14 office.

15 (2) Each tax collector is required to give a good and
16 sufficient surety bond, payable to the department, conditioned
17 that the tax collector will faithfully and truly perform the
18 duties imposed upon him or her according to the requirements
19 of law and the rules and regulations of the department and
20 that the tax collector will well and truly pay over and
21 account for all validation stickers, validation decals,
22 records, and other property and money which may come into his
23 or her possession or control by reason of such service. The
24 amount of such bond shall be determined by the department
25 based on an amount not more than 10 percent above the average
26 of the daily deposits of each tax collector.

27 (3) Each tax collector shall keep a full and complete
28 record and account of all validation stickers, validation
29 decals, mobile home stickers, or other properties received by
30 him or her from the department, or from any other source, and
31

1 shall make prompt remittance of moneys collected by him or her
2 at such times and in such manner as prescribed by law.

3 (8) If the applicant's name appears on the list
4 referred to in s. 316.1001(5) or s. 316.1967(6), a license
5 plate, ~~or revalidation sticker, or revalidation decal~~ may not
6 be issued until that person's name no longer appears on the
7 list or until the person presents a receipt from the clerk
8 showing that the fines outstanding have been paid. The tax
9 collector and the clerk of the court are each entitled to
10 receive monthly, as costs for implementing and administering
11 this subsection, 10 percent of the civil penalties and fines
12 recovered from such persons. If the tax collector has private
13 tag agents, such tag agents are entitled to receive a pro rata
14 share of the amount paid to the tax collector, based upon the
15 percentage of license plates and revalidation stickers and
16 revalidation decals issued by the tag agent compared to the
17 total issued within the county. The authority of any private
18 agent to issue license plates shall be revoked, after notice
19 and a hearing as provided in chapter 120, if he or she issues
20 any license plate, ~~or revalidation sticker, or revalidation~~
21 decal contrary to the provisions of this subsection. This
22 section applies only to the annual renewal in the owner's
23 birth month of a motor vehicle registration and does not apply
24 to the transfer of a registration of a motor vehicle sold by a
25 motor vehicle dealer licensed under this chapter, except for
26 the transfer of registrations which is inclusive of the annual
27 renewals. This section does not affect the issuance of the
28 title to a motor vehicle, notwithstanding s. 319.23(7)(b).

29 Section 3. Section 320.031, Florida Statutes, is
30 amended to read:

31

1 320.031 Mailing of registration certificates, license
2 plates, ~~and~~ validation stickers, and validation decals.--

3 (1) The department and the tax collectors of the
4 several counties of the state may at the request of the
5 applicant use United States mail service to deliver
6 registration certificates and renewals thereof, license
7 plates, mobile home stickers, ~~and~~ validation stickers, and
8 validation decals to applicants.

9 (2) A mail service charge may be collected for each
10 registration certificate, license plate, mobile home sticker,
11 ~~and~~ validation sticker, and validation decal mailed by the
12 department or any tax collector. Each registration
13 certificate, license plate, mobile home sticker, ~~and~~
14 validation sticker, and validation decal shall be mailed by
15 first-class mail unless otherwise requested by the applicant.
16 The amount of the mail service charge shall be the actual
17 postage required, rounded to the nearest 5 cents, plus a
18 25-cent handling charge. The mail service charge is in
19 addition to the service charge provided by s. 320.04.

20 (3) The department is authorized to reproduce such
21 documents, records, and reports as required to meet the
22 requirements of the law and the needs of the public, either by
23 photographing, microphotographing, or reproducing on film the
24 document, record, or report, or by using an electronic
25 digitizing process capable of reproducing a true and correct
26 image of the original source document. The photographs,
27 microphotographs, or electronic digitized copy of any records
28 made in compliance with the provisions of this section shall
29 have the same force and effect as the originals thereof and
30 shall be treated as originals for the purpose of their
31 admissibility into evidence. Duly certified or authenticated

1 reproductions of such photographs, microphotographs, or
2 electronically digitized records shall be admitted into
3 evidence equally with the original photographs,
4 microphotographs, or electronically digitized records.

5 Section 4. Paragraph (a) of subsection (1) of section
6 320.04, Florida Statutes, is amended to read:

7 320.04 Registration service charge.--

8 (1)(a) There shall be a service charge of \$2.50 for
9 each application that ~~which~~ is handled in connection with
10 original issuance, duplicate issuance, or transfer of any
11 license plate, mobile home sticker, ~~or~~ validation sticker, or
12 validation decal, or with transfer or duplicate issuance of
13 any registration certificate. There may also be a service
14 charge of up to \$1 for the issuance of each license plate
15 validation sticker, validation decal, or ~~and~~ mobile home
16 sticker issued from an automated vending facility which shall
17 be payable to and retained by the department to provide for
18 automated vending facilities or machines used to dispense such
19 stickers or decals in each tax collector's or license tag
20 agent's office.

21 Section 5. Section 320.0607, Florida Statutes, is
22 amended to read:

23 320.0607 Replacement license plates, validation
24 sticker, validation decal, or mobile home sticker.--

25 (1) Any law enforcement officer or department
26 compliance examiner or license and registration inspector may
27 at any time inspect a license plate, validation sticker, or
28 validation decal for proper display and legibility as
29 prescribed by chapter 316. A damaged or defaced plate,
30 sticker, or decal may be required to be replaced.

31

1 (2) When a license plate, mobile home sticker,
2 validation sticker, or validation decal has been lost, stolen,
3 or destroyed, the owner of the motor vehicle or mobile home
4 for which the plate, sticker, or decal was issued shall make
5 application to the department for a replacement. The
6 application shall contain the plate, sticker, or decal number
7 being replaced and a statement that the item was lost, stolen,
8 or destroyed. If the application includes a copy of the police
9 report prepared in response to a report of a stolen plate,
10 sticker, or decal, such plate, sticker, or decal must be
11 replaced at no charge.

12 (3) Except as provided in subsection (2), in all such
13 cases, upon filing of an application accompanied by a fee of
14 \$10 plus applicable service charges, the department shall
15 issue a replacement plate, sticker, or decal as the case may
16 be if it is satisfied that the information reported in the
17 application is true. The replacement fee shall be deposited
18 into the Highway Safety Operating Trust Fund.

19 (4) Any license plate, sticker, or decal lost in the
20 mail may be replaced at no charge. Neither the service charge
21 nor the replacement fee shall be applied to this replacement.
22 However, the application for a replacement shall contain a
23 statement of such fact, the audit number of the lost item, and
24 the date issued.

25 (5) Upon the issuance of an original license plate,
26 the applicant shall pay a fee of \$10 to be deposited in the
27 Highway Safety Operating Trust Fund.

28 (6) All funds derived from the sale of temporary tags
29 under the provisions of s. 320.131 shall be deposited in the
30 Highway Safety Operating Trust Fund.

31

1 Section 6. Section 320.061, Florida Statutes, is
2 amended to read:

3 320.061 Unlawful to alter motor vehicle registration
4 certificates, license plates, mobile home stickers, ~~or~~
5 validation stickers, or validation decals; penalty.--No person
6 shall alter the original appearance of any registration
7 license plate, mobile home sticker, validation sticker,
8 validation decal, or vehicle registration certificate issued
9 for and assigned to any motor vehicle or mobile home, whether
10 by mutilation, alteration, defacement, or change of color or
11 in any other manner. Any person who violates the provisions
12 of this section is guilty of a misdemeanor of the second
13 degree, punishable as provided in s. 775.082 or s. 775.083.

14 Section 7. Paragraph (a) of subsection (1) of section
15 320.0657, Florida Statutes, is amended to read:

16 320.0657 Permanent registration; fleet license
17 plates.--

18 (1)(a) The owner or lessee of 250 or more
19 nonapportioned commercial motor vehicles licensed under s.
20 320.08(2), (3), (4), (5)(a)1. and (b), and (7), who has posted
21 a bond as prescribed by department rules, may apply via
22 magnetically encoded computer tape reel or cartridge which is
23 machine readable by the installed computer system at the
24 department for permanent license plates. All vehicles with a
25 fleet license plate shall have the company's name or logo and
26 unit number displayed so that they are readily identifiable.
27 The provisions of s. 320.0605 shall not apply to vehicles
28 registered in accordance with this section, and no annual
29 validation sticker or validation decal is required.

30 Section 8. Subsection (3) of section 320.07, Florida
31 Statutes, is amended to read:

1 320.07 Expiration of registration; annual renewal
2 required; penalties.--

3 (3) The operation of any motor vehicle without having
4 attached thereto a registration license plate and validation
5 sticker or validation decal ~~stickers~~, as required, or the use
6 of any mobile home without having attached thereto a mobile
7 home sticker, for the current registration period shall
8 subject the owner thereof, if he or she is present, or, if the
9 owner is not present, the operator thereof to the following
10 penalty provisions:

11 (a) Any person whose motor vehicle or mobile home
12 registration has been expired for a period of 4 months or less
13 shall be subject to the penalty provided in s. 318.14.

14 (b) Any person whose motor vehicle or mobile home
15 registration has been expired for more than 4 months is guilty
16 of a misdemeanor of the second degree, punishable as provided
17 in s. 775.082 or s. 775.083.

18 (c) However, no operator shall be charged with a
19 violation of this subsection if the operator can show,
20 pursuant to a valid lease agreement, that the vehicle had been
21 leased for a period of 30 days or less at the time of the
22 offense.

23 Section 9. Subsections (2) and (3) of section 320.071,
24 Florida Statutes, are amended to read:

25 320.071 Advance registration renewal; procedures.--

26 (2) Upon the filing of the application and payment of
27 the appropriate license tax under s. 320.08, service charges
28 required by s. 320.04, and any additional fees required by
29 law, the department or its agent shall issue to the owner of
30 the motor vehicle or mobile home a validation sticker,
31 validation decal, or mobile home sticker, as appropriate,

1 which, when affixed to the license plate, rear window, or
2 mobile home, as required, shall renew the registration for the
3 appropriate registration period.

4 (3) Any person who uses a mobile home sticker, ~~or~~
5 validation sticker, or validation decal without lawful
6 authority or who willfully violates any rule of the department
7 relating to this section is guilty of a misdemeanor of the
8 second degree, punishable as provided in s. 775.082 or s.
9 775.083.

10 Section 10. Subsection (3) is added to section
11 320.0801, Florida Statutes, to read:

12 320.0801 Additional license tax on certain vehicles.--

13 (3) In addition to the license taxes imposed under s.
14 320.08 and under subsections (1) and (2), there is hereby
15 levied and imposed an annual license tax of 10 cents for the
16 operation of a motor vehicle, as defined in s. 320.01, which
17 tax shall be paid to the department or its agent upon the
18 registration or renewal of registration of the vehicle.
19 Notwithstanding the provisions of s. 320.20, revenues
20 collected from the tax imposed in this subsection shall be
21 deposited in the Highway Safety Operating Trust Fund.

22 Section 11. Subsections (3) and (4) of section
23 320.084, Florida Statutes, are amended to read:

24 320.084 Free motor vehicle license plate to certain
25 disabled veterans.--

26 (3) The department shall, as it deems necessary,
27 require each person to whom a motor vehicle license plate has
28 been issued pursuant to subsection (1) to apply to the
29 department for reissuance of his or her registration license
30 plate. Upon receipt of the application and proof of the
31 applicant's continued eligibility, the department shall issue

1 a new permanent "DV" numerical motor vehicle license plate
2 which shall be of the colors red, white, and blue similar to
3 the colors of the United States flag. The operation of a motor
4 vehicle displaying a "DV" license plate from a previous issue
5 period or a noncurrent validation sticker or validation decal
6 after the date specified by the department shall subject the
7 owner if he or she is present, otherwise the operator, to the
8 penalty provided in s. 318.18(2). Such permanent license
9 plate shall be removed upon sale of the vehicle, but may be
10 transferred to another vehicle owned by such veteran in the
11 manner prescribed by law. The license number of each plate
12 issued under this section shall be identified by the letter
13 designation "DV." Upon request of any such veteran, the
14 department is authorized to issue a designation plate
15 containing only the letters "DV," to be displayed on the front
16 of the vehicle.

17 (4)(a) With the issuance of each new permanent "DV"
18 numerical motor vehicle license plate, the department shall
19 initially issue, without cost to the applicant, a validation
20 decal the expiration date of which ~~sticker reflecting the~~
21 ~~owner's birth month and a serially numbered validation sticker~~
22 ~~reflecting the year of expiration. The initial sticker~~
23 ~~reflecting the year of expiration~~ may not exceed 15 months
24 after the date of issuance.

25 (b) There shall be a service charge in accordance with
26 the provisions of s. 320.04 for each initial application or
27 renewal of registration and an additional sum of 50 cents on
28 each license plate and validation sticker as provided in s.
29 320.06(3)(b).

30 (c) Registration under this section shall be renewed
31 annually during the applicable renewal period on forms

1 prescribed by the department, which shall include, in addition
2 to any other information required by the department, a
3 certified statement as to the continued eligibility of the
4 applicant to receive the special "DV" license plate. Any
5 applicant who falsely or fraudulently submits to the
6 department the certified statement required by this paragraph
7 is guilty of a noncriminal violation and is subject to a civil
8 penalty of \$50.

9 Section 12. Subsection (2) of section 320.10, Florida
10 Statutes, is amended to read:

11 320.10 Exemptions.--

12 (2) Any such vehicle or mobile home, except one owned
13 or operated exclusively by the Federal Government, shall be
14 furnished a license plate, validation sticker or validation
15 decal, or mobile home sticker upon the proper application to
16 the department and upon the payment of \$3 to cover the cost of
17 same. For any motor vehicle or mobile home that ~~which~~ is
18 exempt under paragraph (1)(a), there shall be issued a license
19 plate, validation sticker or validation decal, or mobile home
20 sticker prescribed by s. 320.06; and for any vehicle that
21 ~~which~~ is exempt under paragraphs (1)(c)-(h), there shall be
22 issued a license plate under series "X." Vehicles exempt
23 under this provision must be equipped with proper license
24 plates showing such exempt status.

25 Section 13. Section 320.26, Florida Statutes, is
26 amended to read:

27 320.26 Counterfeiting license plates, validation
28 stickers, validation decals, mobile home stickers, cab cards,
29 trip permits, or special temporary operational permits
30 prohibited; penalty.--

31

1 (1)(a) No person shall counterfeit registration
2 license plates, validation stickers, validation decals, or
3 mobile home stickers, or have in his or her possession any
4 such plates, decals, or stickers; nor shall any person
5 manufacture, sell, or dispose of registration license plates,
6 validation stickers, validation decals, or mobile home
7 stickers in the state without first having obtained the
8 permission and authority of the department in writing.

9 (b) No person shall counterfeit, alter, or manufacture
10 International Registration Plan cab cards, trip permits,
11 special temporary permits, or temporary operational permits;
12 nor shall any person sell or dispose of International
13 Registration Plan cab cards, trip permits, special temporary
14 permits, or temporary operational permits without first having
15 obtained the permission and authority of the department in
16 writing.

17 (2) Any person who violates this section is guilty of
18 a felony of the third degree.

19 (a) If the violator is a natural person, he or she is
20 punishable as provided in s. 775.082, s. 775.083, or s.
21 775.084.

22 (b) If the violator is an association or corporation,
23 it is punishable as provided in s. 775.083, and the official
24 of the association or corporation under whose direction or
25 with whose knowledge, consent, or acquiescence such violation
26 occurred may be punished as provided in s. 775.082, in
27 addition to the fine which may be imposed upon such
28 association or corporation.

29 Section 14. Section 320.261, Florida Statutes, is
30 amended to read:

31

1 320.261 Attaching registration license plate not
2 assigned unlawful; penalty.--Any person who knowingly attaches
3 to any motor vehicle or mobile home any registration license
4 plate, or who knowingly attaches any validation sticker or
5 mobile home sticker to a registration license plate, or who
6 knowingly attaches any validation decal to a motor vehicle,
7 which plate, or sticker, or decal was not issued and assigned
8 or lawfully transferred to such vehicle, is guilty of a
9 misdemeanor of the second degree, punishable as provided in s.
10 775.082 or s. 775.083.

11 Section 15. Paragraph (a) of subsection (3) of section
12 921.0012, Florida Statutes, is amended to read:

13 921.0012 Sentencing guidelines offense levels; offense
14 severity ranking chart.--

15 (3) OFFENSE SEVERITY RANKING CHART

16 Florida	Felony	
17 Statute	Degree	Description
		(a) LEVEL 1
20 24.118(3)(a)	3rd	Counterfeit or altered state 21 lottery ticket.
22 212.054(2)(b)	3rd	Discretionary sales surtax; 23 limitations, administration, and 24 collection.
25 212.15(2)(b)	3rd	Failure to remit sales taxes, 26 amount greater than \$300 but less 27 than \$20,000.
28 319.30(5)	3rd	Sell, exchange, give away 29 certificate of title or 30 identification number plate.

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1	319.35(1)(a)	3rd	Tamper, adjust, change, etc., an
2			odometer.
3	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell
4			registration license plates, or
5			validation stickers, <u>or</u>
6			<u>validation decals</u> .
7	322.212(1)	3rd	Possession of forged, stolen,
8			counterfeit, or unlawfully issued
9			driver's license; possession of
10			simulated identification.
11	322.212(4)	3rd	Supply or aid in supplying
12			unauthorized driver's license or
13			identification card.
14	322.212(5)(a)	3rd	False application for driver's
15			license or identification card.
16	370.13(4)(a)	3rd	Molest any stone crab trap, line,
17			or buoy which is property of
18			licenseholder.
19	370.135(1)	3rd	Molest any blue crab trap, line,
20			or buoy which is property of
21			licenseholder.
22	372.663(1)	3rd	Poach any alligator or
23			crocodilia.
24	414.39(2)	3rd	Unauthorized use, possession,
25			forgery, or alteration of food
26			stamps, Medicaid ID, value
27			greater than \$200.
28	414.39(3)(a)	3rd	Fraudulent misappropriation of
29			public assistance funds by
30			employee/official, value more
31			than \$200.

1	443.071(1)	3rd	False statement or representation
2			to obtain or increase
3			unemployment compensation
4			benefits.
5	458.327(1)(a)	3rd	Unlicensed practice of medicine.
6	466.026(1)(a)	3rd	Unlicensed practice of dentistry
7			or dental hygiene.
8	509.151(1)	3rd	Defraud an innkeeper, food or
9			lodging value greater than \$300.
10	517.302(1)	3rd	Violation of the Florida
11			Securities and Investor
12			Protection Act.
13	562.27(1)	3rd	Possess still or still apparatus.
14	713.69	3rd	Tenant removes property upon
15			which lien has accrued, value
16			more than \$50.
17	812.014(3)(c)	3rd	Petit theft (3rd conviction);
18			theft of any property not
19			specified in subsection (2).
20	812.081(2)	3rd	Unlawfully makes or causes to be
21			made a reproduction of a trade
22			secret.
23	815.04(4)(a)	3rd	Offense against intellectual
24			property (i.e., computer
25			programs, data).
26	817.52(2)	3rd	Hiring with intent to defraud,
27			motor vehicle services.
28	826.01	3rd	Bigamy.
29	828.122(3)	3rd	Fighting or baiting animals.
30			
31			

1	831.04(1)	3rd	Any erasure, alteration, etc., of
2			any replacement deed, map, plat,
3			or other document listed in s.
4			92.28.
5	831.31(1)(a)	3rd	Sell, deliver, or possess
6			counterfeit controlled
7			substances, all but s. 893.03(5)
8			drugs.
9	832.041(1)	3rd	Stopping payment with intent to
10			defraud \$150 or more.
11	832.05		
12	(2)(b) & (4)(c)	3rd	Knowing, making, issuing
13			worthless checks \$150 or more or
14			obtaining property in return for
15			worthless check \$150 or more.
16	838.015(3)	3rd	Bribery.
17	838.016(1)	3rd	Public servant receiving unlawful
18			compensation.
19	838.15(2)	3rd	Commercial bribe receiving.
20	838.16	3rd	Commercial bribery.
21	843.18	3rd	Fleeing by boat to elude a law
22			enforcement officer.
23	847.011(1)(a)	3rd	Sell, distribute, etc., obscene,
24			lewd, etc., material (2nd
25			conviction).
26	849.01	3rd	Keeping gambling house.
27	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc.,
28			or assist therein, conduct or
29			advertise drawing for prizes, or
30			dispose of property or money by
31			means of lottery.

1 849.23 3rd Gambling-related machines;
2 "common offender" as to property
3 rights.
4 849.25(2) 3rd Engaging in bookmaking.
5 860.08 3rd Interfere with a railroad signal.
6 860.13(1)(a) 3rd Operate aircraft while under the
7 influence.
8 893.13(2)(a)2. 3rd Purchase of cannabis.
9 893.13(6)(a) 3rd Possession of cannabis (more than
10 20 grams).
11 893.13(7)(a)10. 3rd Affix false or forged label to
12 package of controlled substance.
13 934.03(1)(a) 3rd Intercepts, or procures any other
14 person to intercept, any wire or
15 oral communication.

16 Section 16. This act shall take effect July 1, 1999.

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19 LEGISLATIVE SUMMARY

20
21 Eliminates the requirement that a permanent validation
22 sticker be issued in connection with each motor vehicle
23 license plate and revises requirements relating to the
24 annual validation sticker. Requires that an annual
25 validation decal be issued in connection with each
26 license plate in addition to the annual validation
27 sticker. Requires that the decal be placed on the inside
28 rear window on the driver's side. Requires that decals
29 be issued in the same manner as validation stickers,
30 subject to the same penalties for misuse. Imposes a
31 license tax and requires that the proceeds be deposited
into the Highway Safety Operating Trust Fund.