

By Representative Bloom

1 A bill to be entitled
2 An act relating to motor vehicle registration;
3 amending s. 320.06, F.S.; providing for motor
4 vehicle registration validation decals and
5 stickers; amending ss. 320.03, 320.031, 320.04,
6 320.0607, 320.061, 320.0657, 320.07, 320.071,
7 320.084, 320.10, 320.26, and 320.261, F.S.;
8 including reference to validation decals;
9 providing penalties; providing that funds from
10 the Highway Safety Operating Trust Fund may be
11 used to carry out the purposes of the act;
12 amending s. 921.0022, F.S.; including reference
13 to the illegal counterfeiting, manufacture, or
14 sale of validation decals within the offense
15 severity ranking chart; providing an effective
16 date.

17

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

19

20 Section 1. Subsections (1) and (2) of section 320.06,
21 Florida Statutes, are amended to read:22 320.06 Registration certificates, license plates, ~~and~~
23 validation stickers, and validation decals generally.--24 (1)(a) Upon the receipt of an initial application for
25 registration and payment of the appropriate license tax and
26 other fees required by law, the department shall assign to the
27 motor vehicle a registration license number consisting of
28 letters and numerals or numerals and issue to the owner or
29 lessee a certificate of registration and one registration
30 license plate, unless two plates are required for display by
31 s. 320.0706, for each vehicle so registered.

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

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

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

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

23 (2) The department shall provide the several tax
24 collectors and license plate agents with the necessary number
25 of validation stickers and validation decals.

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

28 320.03 Registration; duties of tax collectors;
29 International Registration Plan.--

30 (1) The tax collectors in the several counties of the
31 state, as authorized agents of the department, shall issue

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

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

25 (3) Each tax collector shall keep a full and complete
26 record and account of all validation stickers, validation
27 decals, mobile home stickers, or other properties received by
28 him or her from the department, or from any other source, and
29 shall make prompt remittance of moneys collected by him or her
30 at such times and in such manner as prescribed by law.

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

27 Section 3. Subsections (1) and (2) of section 320.031,
28 Florida Statutes, are amended to read:

29 320.031 Mailing of registration certificates, license
30 plates, ~~and~~ validation stickers, and validation decals.--

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

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

18 Section 4. Paragraph (a) of subsection (1) of section
19 320.04, Florida Statutes, is amended to read:

20 320.04 Registration service charge.--

21 (1)(a) There shall be a service charge of \$2.50 for
22 each application which is handled in connection with original
23 issuance, duplicate issuance, or transfer of any license
24 plate, mobile home sticker, ~~or~~ validation sticker, or
25 validation decal or with transfer or duplicate issuance of any
26 registration certificate. There may also be a service charge
27 of up to \$1 for the issuance of each license plate validation
28 sticker, validation decal, or ~~and~~ mobile home sticker issued
29 from an automated vending facility which shall be payable to
30 and retained by the department to provide for automated
31 vending facilities or machines used to dispense such stickers

1 or decals in each tax collector's or license tag agent's
2 office.

3 Section 5. Subsections (1) and (2) of section
4 320.0607, Florida Statutes, are amended to read:

5 320.0607 Replacement license plates, validation
6 sticker, validation decal, or mobile home sticker.--

7 (1) Any law enforcement officer or department
8 compliance examiner or license and registration inspector may
9 at any time inspect a license plate, validation sticker, or
10 validation decal for proper display and legibility as
11 prescribed by chapter 316. A damaged or defaced plate,
12 sticker, or decal may be required to be replaced.

13 (2) When a license plate, mobile home sticker,
14 validation sticker, or validation decal has been lost, stolen,
15 or destroyed, the owner of the motor vehicle or mobile home
16 for which the plate, sticker, or decal was issued shall make
17 application to the department for a replacement. The
18 application shall contain the plate, sticker, or decal number
19 being replaced and a statement that the item was lost, stolen,
20 or destroyed. If the application includes a copy of the police
21 report prepared in response to a report of a stolen plate,
22 sticker, or decal, such plate, sticker, or decal must be
23 replaced at no charge.

24 Section 6. Section 320.061, Florida Statutes, is
25 amended to read:

26 320.061 Unlawful to alter motor vehicle registration
27 certificates, license plates, mobile home stickers, ~~or~~
28 validation stickers, or validation decals; penalty.--No person
29 shall alter the original appearance of any registration
30 license plate, mobile home sticker, validation sticker,
31 validation decal, or vehicle registration certificate issued

1 for and assigned to any motor vehicle or mobile home, whether
2 by mutilation, alteration, defacement, or change of color or
3 in any other manner. Any person who violates the provisions
4 of this section is guilty of a misdemeanor of the second
5 degree, punishable as provided in s. 775.082 or s. 775.083.

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

8 320.0657 Permanent registration; fleet license
9 plates.--

10 (1)(a) The owner or lessee of 250 or more
11 nonapportioned commercial motor vehicles licensed under s.
12 320.08(2), (3), (4), (5)(a)1. and (b), and (7), who has posted
13 a bond as prescribed by department rules, may apply via
14 magnetically encoded computer tape reel or cartridge which is
15 machine readable by the installed computer system at the
16 department for permanent license plates. All vehicles with a
17 fleet license plate shall have the company's name or logo and
18 unit number displayed so that they are readily identifiable.
19 The provisions of s. 320.0605 shall not apply to vehicles
20 registered in accordance with this section, and no annual
21 validation sticker or validation decal is required.

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

24 320.07 Expiration of registration; annual renewal
25 required; penalties.--

26 (3) The operation of any motor vehicle without having
27 attached thereto a registration license plate and validation
28 stickers or validation decal, as required, or the use of any
29 mobile home without having attached thereto a mobile home
30 sticker, for the current registration period shall subject the
31 owner thereof, if he or she is present, or, if the owner is

1 not present, the operator thereof to the following penalty
2 provisions:

3 (a) Any person whose motor vehicle or mobile home
4 registration has been expired for a period of 6 months or less
5 shall be subject to the penalty provided in s. 318.14.

6 (b) Any person whose motor vehicle or mobile home
7 registration has been expired for more than 6 months is guilty
8 of a misdemeanor of the second degree, punishable as provided
9 in s. 775.082 or s. 775.083.

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

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

17 320.071 Advance registration renewal; procedures.--

18 (2) Upon the filing of the application and payment of
19 the appropriate license tax under s. 320.08, service charges
20 required by s. 320.04, and any additional fees required by
21 law, the department or its agent shall issue to the owner of
22 the motor vehicle or mobile home a validation sticker,
23 validation decal, or mobile home sticker, as appropriate,
24 which, when affixed to the license plate, rear window, or
25 mobile home, as required, shall renew the registration for the
26 appropriate registration period.

27 (3) Any person who uses a mobile home sticker, ~~or~~
28 validation sticker, or validation decal without lawful
29 authority or who willfully violates any rule of the department
30 relating to this section is guilty of a misdemeanor of the
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1 second degree, punishable as provided in s. 775.082 or s.
2 775.083.

3 Section 10. Subsection (3) and paragraph (a) of
4 subsection (4) of section 320.084, Florida Statutes, are
5 amended to read:

6 320.084 Free motor vehicle license plate to certain
7 disabled veterans.--

8 (3) The department shall, as it deems necessary,
9 require each person to whom a motor vehicle license plate has
10 been issued pursuant to subsection (1) to apply to the
11 department for reissuance of his or her registration license
12 plate. Upon receipt of the application and proof of the
13 applicant's continued eligibility, the department shall issue
14 a new permanent "DV" numerical motor vehicle license plate
15 which shall be of the colors red, white, and blue similar to
16 the colors of the United States flag. The operation of a motor
17 vehicle displaying a "DV" license plate from a previous issue
18 period or a noncurrent validation sticker or validation decal
19 after the date specified by the department shall subject the
20 owner if he or she is present, otherwise the operator, to the
21 penalty provided in s. 318.18(2). Such permanent license
22 plate shall be removed upon sale of the vehicle, but may be
23 transferred to another vehicle owned by such veteran in the
24 manner prescribed by law. The license number of each plate
25 issued under this section shall be identified by the letter
26 designation "DV." Upon request of any such veteran, the
27 department is authorized to issue a designation plate
28 containing only the letters "DV," to be displayed on the front
29 of the vehicle.

30 (4)(a) With the issuance of each new permanent "DV"
31 numerical motor vehicle license plate, the department shall

1 initially issue, without cost to the applicant, a validation
2 decal the expiration of which shall ~~sticker reflecting the~~
3 ~~owner's birth month and a serially numbered validation sticker~~
4 ~~reflecting the year of expiration. The initial sticker~~
5 ~~reflecting the year of expiration may not exceed 15 months.~~

6 Section 11. Subsection (2) of section 320.10, Florida
7 Statutes, is amended to read:

8 320.10 Exemptions.--

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

22 Section 12. Paragraph (a) of subsection (1) of section
23 320.26, Florida Statutes, is amended to read:

24 320.26 Counterfeiting license plates, validation
25 stickers, validation decals, mobile home stickers, cab cards,
26 trip permits, or special temporary operational permits
27 prohibited; penalty.--

28 (1)(a) No person shall counterfeit registration
29 license plates, validation stickers, validation decals, or
30 mobile home stickers, or have in his or her possession any
31 such plates or stickers; nor shall any person manufacture,

1 sell, or dispose of registration license plates, validation
2 stickers, or mobile home stickers in the state without first
3 having obtained the permission and authority of the department
4 in writing.

5 Section 13. Section 320.261, Florida Statutes, is
6 amended to read:

7 320.261 Attaching registration license plate not
8 assigned unlawful; penalty.--Any person who knowingly attaches
9 to any motor vehicle or mobile home any registration license
10 plate, or who knowingly attaches any validation sticker or
11 mobile home sticker to a registration license plate, or who
12 knowingly attaches any validation decal to a motor vehicle,
13 which plate, or sticker, or decal was not issued and assigned
14 or lawfully transferred to such vehicle, is guilty of a
15 misdemeanor of the second degree, punishable as provided in s.
16 775.082 or s. 775.083.

17 Section 14. Funds from the Highway Safety Operating
18 Trust Fund may be used by the department to carry out the
19 purposes of this act.

20 Section 15. Paragraph (a) of subsection (3) of section
21 921.0022, Florida Statutes, is amended to read:

22 921.0022 Criminal Punishment Code; offense severity
23 ranking chart.--

24 (3) OFFENSE SEVERITY RANKING CHART

26 Florida	Felony	
27 Statute	Degree	Description
		29 (a) LEVEL 1
30 24.118(3)(a)	3rd	Counterfeit or altered state 31 lottery ticket.

1	212.054(2)(b)	3rd	Discretionary sales surtax;
2			limitations, administration, and
3			collection.
4	212.15(2)(b)	3rd	Failure to remit sales taxes,
5			amount greater than \$300 but less
6			than \$20,000.
7	319.30(5)	3rd	Sell, exchange, give away
8			certificate of title or
9			identification number plate.
10	319.35(1)(a)	3rd	Tamper, adjust, change, etc., an
11			odometer.
12	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell
13			registration license plates, or
14			validation stickers, <u>or</u>
15			<u>validation decals.</u>
16	322.212(1)	3rd	Possession of forged, stolen,
17			counterfeit, or unlawfully issued
18			driver's license.
19	322.212(4)	3rd	Supply or aid in supplying
20			unauthorized driver's license.
21	322.212(5)	3rd	False application for driver's
22			license.
23	370.13(4)(a)	3rd	Molest any stone crab trap, line,
24			or buoy which is property of
25			licenseholder.
26	370.135(1)	3rd	Molest any blue crab trap, line,
27			or buoy which is property of
28			licenseholder.
29	372.663(1)	3rd	Poach any alligator or
30			crocodilia.
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1	414.39(2)	3rd	Unauthorized use, possession,
2			forgery, or alteration of food
3			stamps, Medicaid ID, value
4			greater than \$200.
5	414.39(3)(a)	3rd	Fraudulent misappropriation of
6			public assistance funds by
7			employee/official, value more
8			than \$200.
9	443.071(1)	3rd	False statement or representation
10			to obtain or increase
11			unemployment compensation
12			benefits.
13	458.327(1)(a)	3rd	Unlicensed practice of medicine.
14	466.026(1)(a)	3rd	Unlicensed practice of dentistry
15			or dental hygiene.
16	509.151(1)	3rd	Defraud an innkeeper, food or
17			lodging value greater than \$300.
18	517.302(1)	3rd	Violation of the Florida
19			Securities and Investor
20			Protection Act.
21	562.27(1)	3rd	Possess still or still apparatus.
22	713.69	3rd	Tenant removes property upon
23			which lien has accrued, value
24			more than \$50.
25	812.014(3)(c)	3rd	Petit theft (3rd conviction);
26			theft of any property not
27			specified in subsection (2).
28	812.081(2)	3rd	Unlawfully makes or causes to be
29			made a reproduction of a trade
30			secret.
31			

1	815.04(4)(a)	3rd	Offense against intellectual
2			property (i.e., computer
3			programs, data).
4	817.52(2)	3rd	Hiring with intent to defraud,
5			motor vehicle services.
6	826.01	3rd	Bigamy.
7	828.122(3)	3rd	Fighting or baiting animals.
8	831.04(1)	3rd	Any erasure, alteration, etc., of
9			any replacement deed, map, plat,
10			or other document listed in s.
11			92.28.
12	831.31(1)(a)	3rd	Sell, deliver, or possess
13			counterfeit controlled
14			substances, all but s. 893.03(5)
15			drugs.
16	832.041(1)	3rd	Stopping payment with intent to
17			defraud \$150 or more.
18	832.05		
19	(2)(b)&(4)(c)	3rd	Knowing, making, issuing
20			worthless checks \$150 or more or
21			obtaining property in return for
22			worthless check \$150 or more.
23	838.015(3)	3rd	Bribery.
24	838.016(1)	3rd	Public servant receiving unlawful
25			compensation.
26	838.15(2)	3rd	Commercial bribe receiving.
27	838.16	3rd	Commercial bribery.
28	843.18	3rd	Fleeing by boat to elude a law
29			enforcement officer.
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1	847.011(1)(a)	3rd	Sell, distribute, etc., obscene,
2			lewd, etc., material (2nd
3			conviction).
4	849.01	3rd	Keeping gambling house.
5	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc.,
6			or assist therein, conduct or
7			advertise drawing for prizes, or
8			dispose of property or money by
9			means of lottery.
10	849.23	3rd	Gambling-related machines;
11			"common offender" as to property
12			rights.
13	849.25(2)	3rd	Engaging in bookmaking.
14	860.08	3rd	Interfere with a railroad signal.
15	860.13(1)(a)	3rd	Operate aircraft while under the
16			influence.
17	893.13(2)(a)2.	3rd	Purchase of cannabis.
18	893.13(6)(a)	3rd	Possession of cannabis (more than
19			20 grams).
20	893.13(7)(a)10.	3rd	Affix false or forged label to
21			package of controlled substance.
22	934.03(1)(a)	3rd	Intercepts, or procures any other
23			person to intercept, any wire or
24			oral communication.
25	Section 16. This act shall take effect July 1, 1999.		

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HOUSE SUMMARY

Provides for motor vehicle registration validation decals which are to be placed on the inside lower corner of the rear window on the driver's side. Revises existing provisions of law relating to motor vehicles to include reference to such decals. Provides penalties for unlawfully attaching a decal to a motor vehicle or counterfeiting decals. Provides that funds from the Highway Safety Operating Trust Fund may be used to carry out the purposes of the act. See bill for details.