

By Representative Stabins

1                                   A bill to be entitled  
2           An act relating to motor vehicle license  
3           plates; amending s. 316.515, F.S.; changing  
4           exemptions from maximum width, height, and  
5           length requirements for wreckers; amending s.  
6           320.01, F.S.; providing definitions; amending  
7           s. 320.06, F.S.; requiring the word "wrecker"  
8           to be printed on certain license plates;  
9           amending s. 320.08, F.S.; revising license tax  
10          requirements for wreckers; creating s.  
11          320.0821, F.S.; providing requirements for  
12          wrecker license plates; amending s. 206.877,  
13          F.S., to conform a cross reference; providing  
14          an effective date.

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

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18           Section 1. Subsection (8) of section 316.515, Florida  
19 Statutes, is amended to read:

20           316.515 Maximum width, height, length.--

21           (8) WRECKERS.--The limitations imposed by this section  
22 do not apply to:

23           (a) A combination of motor vehicles consisting of a  
24 wrecker licensed in accordance with s. 320.08(5)(d) and (e)  
25 and a disabled motor vehicle, trailer, semitrailer, ~~or~~  
26 tractor-trailer combination, or a replacement motor vehicle,  
27 which is under tow by the wrecker ~~to a nearby authorized~~  
28 ~~repair service~~, if the size and weight of the towed vehicle is  
29 consistent with statutory requirements or if any nonconforming  
30 vehicle being towed is otherwise operating under a current  
31 special use permit or permits. Any disabled tractor-trailer

1 combination, including any disabled combination under a  
2 special use permit, must be moved or towed to the nearest  
3 repair service designated by the tractor-trailer owner or  
4 motor carrier within a radius of 150 miles from the location  
5 where the tractor-trailer combination became disabled.

6 (b) A combination of motor vehicles consisting of a  
7 wrecker licensed in accordance with s. 320.08(5)(e), including  
8 a wrecker licensed under the International Registration Plan,  
9 and a disabled motor vehicle, trailer, semitrailer,  
10 tractor-trailer combination, or a replacement motor vehicle,  
11 which is under tow by the wrecker, if the size and weight of  
12 the towed vehicle is consistent with statutory requirements or  
13 if any nonconforming vehicle being towed is otherwise  
14 operating under a special use permit or permits. Any disabled  
15 tractor-trailer combination, including any combination under a  
16 special use permit, must be moved or towed to the nearest  
17 repair service designated by the tractor-trailer owner or  
18 motor carrier within a radius of 150 miles from the location  
19 where the tractor-trailer combination became disabled.

20 (c) A combination of motor vehicles consisting of a  
21 wrecker licensed in accordance with s. 320.08(5)(d) or (e) and  
22 a nondisabled tractor-trailer combination which is under tow  
23 by the wrecker, if the tractor-trailer combination is being  
24 towed by the wrecker in an emergency situation or as directed  
25 by a law enforcement officer. No wrecker shall tow a  
26 nondisabled tractor-trailer combination except in an emergency  
27 situation or as directed by a law enforcement officer.

28 Section 2. Subsections (38), (39), (40), and (41) are  
29 added to section 320.01, Florida Statutes, 1996 Supplement, to  
30 read:

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1           320.01 Definitions, general.--As used in the Florida  
2 Statutes, except as otherwise provided, the term:

3           (38) "Disabled motor vehicle" means any motor vehicle  
4 as defined in subsection (1) which is not operable under its  
5 own motive power, excluding a nondisabled trailer or  
6 semitrailer, or any motor vehicle that is unsafe for operation  
7 upon the highways of this state.

8           (39) "Replacement motor vehicle" means any motor  
9 vehicle as defined in subsection (1) under tow by a wrecker to  
10 the location of a disabled motor vehicle for the purpose of  
11 replacing the disabled motor vehicle, thereby permitting the  
12 transfer of the disabled motor vehicle's operator, passengers,  
13 and load to an operable motor vehicle.

14           (40) "Wrecker" means any motor vehicle that is used to  
15 tow, carry, or otherwise transport motor vehicles and that is  
16 equipped for that purpose with a boom, winch, car carrier, or  
17 other similar equipment.

18           (41) "Tow" means to pull or draw any motor vehicle  
19 with a power unit by means of a direct attachment, drawbar, or  
20 other connection or to carry a motor vehicle on a power unit  
21 designed to transport such vehicle from one location to  
22 another.

23           Section 3. Paragraph (a) of subsection (3) of section  
24 320.06, Florida Statutes, 1996 Supplement, is amended to read:

25           320.06 Registration certificates, license plates, and  
26 validation stickers generally.--

27           (3)(a) Registration license plates shall be of metal  
28 specially treated with a retroreflective material, as  
29 specified by the department. The registration license plate is  
30 designed to increase nighttime visibility and legibility and  
31 shall be at least 6 inches wide and not less than 12 inches in

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

1 subject to the approval of the department and a legislative  
2 appropriation for the additional license plates. A license  
3 plate issued for a vehicle taxed under s. 320.08(6) may not be  
4 assigned a registration license number, or be issued with any  
5 other distinctive character or designation, that distinguishes  
6 the motor vehicle as a for-hire motor vehicle.

7 Section 4. Paragraph (d) of subsection (5) of section  
8 320.08, Florida Statutes, 1996 Supplement, is amended, present  
9 paragraph (e) is redesignated as paragraph (f), and a new  
10 paragraph (e) is added to said subsection, to read:

11 320.08 License taxes.--Except as otherwise provided  
12 herein, there are hereby levied and imposed annual license  
13 taxes for the operation of motor vehicles, mopeds, motorized  
14 bicycles as defined in s. 316.003(2), and mobile homes, as  
15 defined in s. 320.01, which shall be paid to and collected by  
16 the department or its agent upon the registration or renewal  
17 of registration of the following:

18 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE  
19 WEIGHT; SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.--

20 (d) A wrecker, as defined in s. 320.01(40), which is  
21 used to tow a disabled motor vehicle as defined in s.  
22 320.01(38) or a replacement motor vehicle as defined in s.  
23 320.01(39): \$100 flat.~~A motor vehicle operated solely as a~~  
24 ~~wrecker, owned and operated by a garage in connection with its~~  
25 ~~regular business: \$30 flat.~~

26 (e) A wrecker, as defined in s. 320.01(40), which is  
27 used to tow any motor vehicle, regardless of whether or not  
28 such motor vehicle is a disabled motor vehicle as defined in  
29 s. 320.01(38) or a replacement motor vehicle as defined in s.  
30 320.01(39), as follows:

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- 1           1. Gross vehicle weight of 10,000 pounds or more, but  
2 less than 15,000 pounds: \$87 flat.
- 3           2. Gross vehicle weight of 15,000 pounds or more, but  
4 less than 20,000 pounds: \$131 flat.
- 5           3. Gross vehicle weight of 20,000 pounds or more, but  
6 less than 26,000 pounds: \$186 flat.
- 7           4. Gross vehicle weight of 26,000 pounds or more, but  
8 less than 35,000 pounds: \$240 flat.
- 9           5. Gross vehicle weight of 35,000 pounds or more, but  
10 less than 44,000 pounds: \$300 flat.
- 11           6. Gross vehicle weight of 44,000 pounds or more, but  
12 less than 55,000 pounds: \$572 flat.
- 13           7. Gross vehicle weight of 55,000 pounds or more, but  
14 less than 62,000 pounds: \$678 flat.
- 15           8. Gross vehicle weight of 62,000 pounds or more, but  
16 less than 72,000 pounds: \$800 flat.
- 17           9. Gross vehicle weight of 72,000 pounds or more:  
18 \$979 flat.
- 19           (f)~~(e)~~ A hearse or ambulance: \$30 flat.
- 20           Section 5. Section 320.0821, Florida Statutes, is  
21 created to read:
- 22           320.0821 Wrecker license plates.--
- 23           (1) The department shall issue a wrecker license plate  
24 to the owner of any motor vehicle that is used to tow, carry,  
25 or otherwise transport motor vehicles and that is equipped for  
26 that purpose with a boom, winch, carrier, or other similar  
27 equipment, except a motor vehicle registered under the  
28 International Registration Plan, upon application and payment  
29 of the appropriate license tax and fees in accordance with s.  
30 320.08(5)(d) or (e).
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1       (2) A license plate issued under this section shall  
2 have the word "Wrecker" imprinted on the bottom of the plate  
3 in place of the county name.

4       (3) Any license plate issued under s. 320.08(5)(e)  
5 shall be in a distinctive color approved by the department.

6       (4) For any license plate issued under this section to  
7 any wrecker, when the combined gross vehicle weight of the  
8 wrecker and any towed vehicle or vehicles is 55,000 pounds or  
9 more, at the time of registration or renewal of registration,  
10 every owner or person in charge of such wrecker shall present  
11 proof of filing or proof of payment, as applicable, of the  
12 federal heavy vehicle use tax in accordance with s. 320.02(7).

13       Section 6. Paragraph (a) of subsection (1) of section  
14 206.877, Florida Statutes, is amended to read:

15       206.877 Motor vehicles fueled by liquefied petroleum  
16 gas or compressed natural gas; payment of annual decal fees in  
17 lieu of tax.--

18       (1) The tax imposed by s. 206.87 does not apply to  
19 motor vehicles licensed in this state pursuant to chapter 320  
20 which are powered by alternative fuels and for which valid  
21 decals have been acquired as provided in this section.

22       (a) The owners or operators of such vehicles shall, in  
23 lieu of the excise tax imposed by this part, pay an annual  
24 decal fee on each such motor vehicle in accordance with the  
25 following rate schedule:

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<u>Class</u>	<u>Vehicle License Category(a) and (d)(b) and (c)</u>	<u>State Fee:</u> <u>Fee for each</u> <u>tenth of a</u> <u>cent of tax</u>	<u>Fee for each cent</u> <u>imposed by</u> <u>of tax imposed</u> <u>s. 206.87(1)by s. 206.87(1)</u>
A	Vehicles licensed pursuant to s. 320.08(1), (2), (3)(a)-(c), (e), (6)(a), and (9)(c)1.	\$1.10	\$11
B	Vehicles licensed pursuant to s. 320.08(5)(b)- <del>(f)(e)</del> , (6)(b), (9)(c)2., and (14).	\$1.50	\$15
C	Vehicles licensed pursuant to s. 320.08(4).	\$2.10	\$21

Section 7. This act shall take effect upon becoming a law.



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HOUSE SUMMARY

Revises exemptions from maximum width, height, and length limitations for wreckers. Defines the term "wrecker" to mean any motor vehicle that is used to tow, carry, or otherwise transport motor vehicles and that is equipped for that purpose with a boom, winch, car carrier, or other similar equipment. Provides that the term "wrecker" shall be imprinted on certain motor vehicle license plates. Revises license tax provisions to provide for wreckers. Provides for wrecker license plates. See bill for details.