

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Transportation Committee

BILL: SB 1240

SPONSOR: Senator Baker

SUBJECT: Former Military Vehicles

DATE: April 12, 2005

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Evans	Meyer	TR	Favorable
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill exempts former military vehicles from being equipped with windshields if the Department of Highway Safety and Motor Vehicles (DHSMV) finds it necessary in order for the vehicle to maintain its accurate military design and markings. Additionally, the bill defines former military vehicles and exempts those former military vehicles, which are 30 years old or older and only used in exhibitions, parades, or public display, from the requirements of displaying a license plate or registration insignia if the exemption is necessary to maintain the vehicle's accurate military markings.

This bill substantially amends sections 316.2952, 316.605, 320.086 of the Florida Statutes.

II. Present Situation:

Section 316.2952, F.S., states every motor vehicle, which is operated on the public highways, roads, and streets, except motorcycles or implements of husbandry, must have a windshield in a fixed and upright position, which is equipped with safety glazing as required by federal safety-glazing material standards. Windshields on every motor vehicle must be maintained in good working order and equipped with a device for cleaning rain, snow, or other moisture from the windshield which can be controlled or operated by the driver of the vehicle. Electric powered grove equipment, including goats, highlift-goats, grove chemical supply tanks, fertilizer distributors, fruit-loading equipment, and electric powered vehicles are exempt from the requirements of this section but are required to have a windscreen approved by the DHSMV. Windshield requirement infractions are considered non-moving violations punishable by a fine of \$30 plus applicable court costs and fees.

Under s. 316.605, F.S., all vehicles on any highways, roads, or streets of this state, are to be licensed in the name of the owner and are required to display license plates on the rear of the vehicle. The only exceptions to this provision are front-end registration license plates on truck tractors. Violation of this provision is a nonmoving violation punishable by a fine of \$30 plus applicable court costs and fees.

Section 320.086, F.S., sets forth those motor vehicles which are eligible for displaying the horseless carriage, antique or historical license plates. To be eligible a motor vehicle must fit into one of the following categories:

- Manufactured in 1945 or earlier, equipped with an engine manufactured in 1945 or earlier or manufactured to the specifications of the original engine and operated on the streets and highways of this state. These vehicles are eligible for the horseless carriage license plate.
- Manufactured after 1945 and of the age of 30 years or more after the date of manufacture, equipped with an engine of the age of 30 years or more after the date of manufacture, and operated on the streets and highways of this state. These vehicles are eligible for the antique license plate.
- Ancient or antique firefighting apparatus or other historical motor vehicles or trailers identifiable as military trailers 30 years old or older which are used only in exhibitions, parades, or public display. These vehicles may be issued either horseless carriage or antique license plates.
- A motor vehicle manufactured in the model year 1974 or earlier. These vehicles may be issued historical license plates.

III. Effect of Proposed Changes:

Section 1 amends s. 316.2952 F.S., to define former military vehicles as being a vehicle, including a trailer, regardless of the vehicle's size, weight, or year of manufacture, which was manufactured for use in any country's military forces and is maintained to represent its military design and markings accurately. The bill exempts former military vehicles from being equipped with a windshield if the DHSMV determines the exemption is necessary to maintain the vehicle's accurate military design and markings or if the original design of the vehicle did not include a windshield. This bill also requires the operator and passengers to wear approved eye-protective devices when the vehicle is operating on public roads and highways. A violation of this provision would be a non-moving violation punishable by a fine of \$30 plus court costs and fees.

Section 2 amends s. 316.605, F.S., to exempt former military vehicles, which are used only in exhibitions, parades, or public display, from the requirement to display a valid license plate if the exemption is necessary to maintain the vehicle's accurate military markings. The license plate and registration certificate must be carried inside the vehicle, available for inspection by any law enforcement officer.

Section 3 amends s. 320.086, F.S., to provide the owner of a former military vehicle used only in parades, exhibitions or public display may be issued a horseless carriage or antique license plate as follows:

- Former military vehicles manufactured in 1945 or earlier, equipped with an engine manufactured in 1945 or earlier or manufactured to the specifications of the original engine and operated on the streets and highways of this state may receive horseless carriage license plates; and
- Former military vehicles manufactured after 1945 and of the age of 30 years or more after the date of manufacture, equipped with an engine of the age of 30 years or more after the date of manufacture, and operated on the streets and highways of this state may be issued antique license plates.

This section also creates s. 320.086(5), F.S., to exempt former military vehicles from displaying a license plate or registration insignia if the exemption is necessary to maintain the vehicle's accurate military markings. The license plate and registration certificate must be carried inside the vehicle, available for inspection by any law enforcement officer.

Section 4 provides an effective date of July 1, 2005.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

VIII. Summary of Amendments:

None.

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