

By Senator Baker

20-813-05

See HB 623

1                                   A bill to be entitled

2           An act relating to former military vehicles;

3           amending s. 316.2952, F.S.; defining "former

4           military vehicle"; exempting such vehicles from

5           certain windshield requirements; requiring

6           eye-protective devices while such vehicle is in

7           operation; providing penalties for violation;

8           amending s. 316.605, F.S.; exempting certain

9           former military vehicles from license plate

10          display requirements; amending s. 320.086,

11          F.S.; providing for issuance of special license

12          plates for certain former military vehicles;

13          exempting certain former military vehicles from

14          license plate display requirements; requiring

15          the plate and registration certificate to be in

16          the vehicle and available for inspection;

17          defining "former military vehicle"; providing

18          an effective date.

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

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22           Section 1. Subsection (6) of section 316.2952, Florida

23 Statutes, is renumbered as subsection (7), and a new

24 subsection (6) is added to that section, to read:

25           316.2952 Windshields; requirements; restrictions.--

26           (6) A former military vehicle is exempt from the

27 requirements of this section if the department determines that

28 the exemption is necessary to maintain the vehicle's accurate

29 military design and markings. However, whenever the vehicle is

30 operating on the public roads and highways, the operator and

31 passengers must wear eye-protective devices approved by the

1 department. For purposes of this subsection, "former military  
2 vehicle" means a vehicle, including a trailer, regardless of  
3 the vehicle's size, weight, or year of manufacture, that was  
4 manufactured for use in any country's military forces and is  
5 maintained to represent its military design and markings  
6 accurately.

7 ~~(7)(6)~~ A violation of this section is a noncriminal  
8 traffic infraction, punishable as a nonmoving violation as  
9 provided in chapter 318.

10 Section 2. Subsection (1) of section 316.605, Florida  
11 Statutes, is amended to read:

12 316.605 Licensing of vehicles.--

13 (1) Every vehicle, at all times while driven, stopped,  
14 or parked upon any highways, roads, or streets of this state,  
15 shall be licensed in the name of the owner thereof in  
16 accordance with the laws of this state unless such vehicle is  
17 not required by the laws of this state to be licensed in this  
18 state and shall, except as otherwise provided in s. 320.0706  
19 for front-end registration license plates on truck tractors  
20 and s. 320.086(5) which exempts display of license plates on  
21 described former military vehicles, display the license plate  
22 or both of the license plates assigned to it by the state, one  
23 on the rear and, if two, the other on the front of the  
24 vehicle, each to be securely fastened to the vehicle outside  
25 the main body of the vehicle in such manner as to prevent the  
26 plates from swinging, with all letters, numerals, printing,  
27 writing, and other identification marks upon the plates clear  
28 and distinct and free from defacement, mutilation, grease, and  
29 other obscuring matter, so that they will be plainly visible  
30 and legible at all times 100 feet from the rear or front.  
31 Nothing shall be placed upon the face of a Florida plate

1 | except as permitted by law or by rule or regulation of a  
2 | governmental agency. No license plates other than those  
3 | furnished by the state shall be used. However, if the vehicle  
4 | is not required to be licensed in this state, the license  
5 | plates on such vehicle issued by another state, by a  
6 | territory, possession, or district of the United States, or by  
7 | a foreign country, substantially complying with the provisions  
8 | hereof, shall be considered as complying with this chapter. A  
9 | violation of this subsection is a noncriminal traffic  
10 | infraction, punishable as a nonmoving violation as provided in  
11 | chapter 318.

12 |           Section 3. Section 320.086, Florida Statutes, is  
13 | amended to read:

14 |           320.086 Ancient or antique motor vehicles; ~~horseless~~  
15 | carriage, ~~antique~~, or historical license plates; former  
16 | military vehicles.--

17 |           (1) The owner of a motor vehicle for private use  
18 | manufactured in 1945 or earlier, equipped with an engine  
19 | manufactured in 1945 or earlier or manufactured to the  
20 | specifications of the original engine, and operated on the  
21 | streets and highways of this state shall, upon application in  
22 | the manner and at the time prescribed by the department and  
23 | upon payment of the license tax for an ancient motor vehicle  
24 | prescribed by s. 320.08(1)(d), (2)(a), or (3)(e), be issued a  
25 | special license plate for such motor vehicle. The license  
26 | plate shall be permanent and valid for use without renewal so  
27 | long as the vehicle is in existence. In addition to the  
28 | payment of all other fees required by law, the applicant shall  
29 | pay such fee for the issuance of the special license plate as  
30 | may be prescribed by the department commensurate with the cost  
31 | of its manufacture. The registration numbers and special

1 license plates assigned to such motor vehicles shall run in a  
2 separate numerical series, commencing with "Horseless Carriage  
3 No. 1," and the plates shall be of a distinguishing color.

4 (2)(a) The owner of a motor vehicle for private use  
5 manufactured after 1945 and of the age of 30 years or more  
6 after the date of manufacture, equipped with an engine of the  
7 age of 30 years or more after the date of manufacture, and  
8 operated on the streets and highways of this state may, upon  
9 application in the manner and at the time prescribed by the  
10 department and upon payment of the license tax prescribed by  
11 s. 320.08(1)(d), (2)(a), or (3)(e), be issued a special  
12 license plate for such motor vehicle. In addition to the  
13 payment of all other fees required by law, the applicant shall  
14 pay the fee for the issuance of the special license plate  
15 prescribed by the department, commensurate with the cost of  
16 its manufacture. The registration numbers and special license  
17 plates assigned to such motor vehicles shall run in a separate  
18 numerical series, commencing with "Antique No. 1," and the  
19 plates shall be of a distinguishing color. The owner of the  
20 motor vehicle may, upon application and payment of the license  
21 tax prescribed by s. 320.08, be issued a regular Florida  
22 license plate or specialty license plate in lieu of the  
23 special "Antique" license plate.

24 (b) Motor vehicles licensed under this section which  
25 have been issued a permanent license plate prior to October 1,  
26 1999, shall maintain such plate unless the vehicle is  
27 transferred to a new owner. Motor vehicles licensed under this  
28 section which have been issued a "Collectible" license plate  
29 prior to October 1, 1999, may retain that license plate until  
30 the next regularly scheduled replacement.

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1           (3) The owner of an ancient or antique firefighting  
2 apparatus, ~~former military vehicle,~~ or other historical motor  
3 vehicle ~~or trailer identifiable as a military trailer~~ 30 years  
4 old or older which is used only in exhibitions, parades, or  
5 public display~~7~~ may, upon application in the manner and at the  
6 time prescribed by the department and upon payment of the  
7 license tax prescribed by s. 320.08(2)(a), be issued a license  
8 plate as prescribed in subsection (1) or subsection (2).

9 License plates issued under this subsection shall be permanent  
10 and valid for use without renewal as long as the vehicle is in  
11 existence and its use is consistent with this subsection.

12           (4) Any person who is the registered owner of a motor  
13 vehicle as defined in this section and manufactured in the  
14 model year 1974 or earlier~~7~~ may apply to the department for  
15 permission to use a historical Florida license plate that  
16 clearly represents the model year of the vehicle as a  
17 personalized prestige license plate. This plate shall be  
18 furnished by such person and shall be presented to the  
19 department with a reasonable fee to be determined by the  
20 department for approval and for authentication that the  
21 historic license plate and any applicable decals were issued  
22 by this state in the same year as the model year of the car or  
23 truck. The requirements of s. 320.0805(8)(b) do not apply to  
24 historical plates authorized under this subsection.

25           (5) A former military vehicle that is used only in  
26 exhibitions, parades, or public display is exempt from the  
27 requirement to display a license plate or registration  
28 insignia if the exemption is necessary to maintain the  
29 vehicle's accurate military markings. However, the license  
30 plate and registration certificate issued under this section  
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1 must be carried within the vehicle and available for  
2 inspection by any law enforcement officer.

3 (6) For purposes of this section, "former military  
4 vehicle" means a vehicle, including a trailer, regardless of  
5 the vehicle's size, weight, or year of manufacture, that was  
6 manufactured for use in any country's military forces and is  
7 maintained to represent its military design and markings  
8 accurately.

9 Section 4. This act shall take effect July 1, 2005.

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