

1 A bill to be entitled
2 An act relating to motor vehicle, mobile home, and vessel
3 registration; amending ss. 316.605, 318.14, and 318.18,
4 F.S., relating to vehicle licensing, noncriminal traffic
5 infractions, and civil penalties; conforming cross-
6 references; amending s. 320.01, F.S.; redefining the term
7 "registration period"; defining the term "extended
8 registration period"; amending s. 320.055, F.S.;
9 establishing an extended registration period and renewal
10 period for certain motor vehicles and mobile homes;
11 amending s. 320.06, F.S.; extending the time period and
12 increasing the fee for replacement of registration license
13 plates; extending period of validity of license plates and
14 validation stickers to provide for extended registration
15 period; amending s. 320.07, F.S.; authorizing the biennial
16 renewal of certain motor vehicle registration; amending s.
17 320.071, F.S.; clarifying that the registration period for
18 a motor vehicle or mobile home may not exceed a specified
19 number of months; amending s. 322.121, F.S., relating to
20 reexamination of drivers; conforming a cross-reference;
21 amending s. 328.72, F.S.; providing for an extended
22 registration period for certain vessel owners; providing
23 an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

26
27 Section 1. Subsection (2) of section 316.605, Florida
28 Statutes, is amended to read:

29 316.605 Licensing of vehicles.--

30 (2) Any commercial motor vehicle, as defined in s.
 31 316.003(66), operating over the highways of this state with an
 32 expired registration, with no registration from this or any
 33 other jurisdiction, or with no registration under the applicable
 34 provisions of chapter 320 shall be in violation of s. 320.07(4)
 35 ~~s. 320.07(3)~~ and shall subject the owner or operator of such
 36 vehicle to the penalty provided. In addition, a commercial
 37 motor vehicle found in violation of this section may be detained
 38 by any law enforcement officer until the owner or operator
 39 produces evidence that the vehicle has been properly registered
 40 and that any applicable delinquent penalties have been paid.

41 Section 2. Subsections (1), (4), and (9) of section
 42 318.14, Florida Statutes, are amended to read:

43 318.14 Noncriminal traffic infractions; exception;
 44 procedures.--

45 (1) Except as provided in ss. 318.17 and 320.07(4)(c)
 46 ~~320.07(3)(e)~~, any person cited for a violation of chapter 316,
 47 s. 320.0605, s. 320.07(4)(a) ~~s. 320.07(3)(a)~~ or (b), s. 322.065,
 48 s. 322.15(1), s. 322.16(2) or (3), s. 322.161(5), s. 322.19, or
 49 s. 1006.66(3) is charged with a noncriminal infraction and must
 50 be cited for such an infraction and cited to appear before an
 51 official. If another person dies as a result of the noncriminal
 52 infraction, the person cited may be required to perform 120
 53 community service hours under s. 316.027(4), in addition to any
 54 other penalties.

55 (4) Except as provided in subsection (12), any person
 56 charged with a noncriminal infraction under this section who

57 does not elect to appear shall pay the civil penalty and
 58 delinquent fee, if applicable, either by mail or in person,
 59 within 30 days after the date of issuance of the citation. If
 60 the person cited follows the above procedure, he or she shall be
 61 deemed to have admitted the infraction and to have waived his or
 62 her right to a hearing on the issue of commission of the
 63 infraction. Such admission shall not be used as evidence in any
 64 other proceedings. Any person who is cited for a violation of s.
 65 320.0605 or s. 322.15(1), or subject to a penalty under s.
 66 320.07(4)(a) ~~s. 320.07(3)(a)~~ or (b) or s. 322.065, and who makes
 67 an election under this subsection shall submit proof of
 68 compliance with the applicable section to the clerk of the
 69 court. For the purposes of this subsection, proof of compliance
 70 consists of a valid driver's license or a valid registration
 71 certificate.

72 (9) Any person who is cited for an infraction under this
 73 section other than a violation of s. 320.0605, s. 320.07(4)(a)
 74 ~~s. 320.07(3)(a)~~ or (b), s. 322.065, s. 322.15(1), s. 322.61, or
 75 s. 322.62 may, in lieu of a court appearance, elect to attend in
 76 the location of his or her choice within this state a basic
 77 driver improvement course approved by the Department of Highway
 78 Safety and Motor Vehicles. In such a case, adjudication must be
 79 withheld; points, as provided by s. 322.27, may not be assessed;
 80 and the civil penalty that is imposed by s. 318.18(3) must be
 81 reduced by 18 percent; however, a person may not make an
 82 election under this subsection if the person has made an
 83 election under this subsection in the preceding 12 months. A
 84 person may make no more than five elections under this

85 subsection. The requirement for community service under s.
 86 318.18(8) is not waived by a plea of nolo contendere or by the
 87 withholding of adjudication of guilt by a court.

88 Section 3. Paragraph (b) of subsection (2) of section
 89 318.18, Florida Statutes, is amended to read:

90 318.18 Amount of civil penalties.--The penalties required
 91 for a noncriminal disposition pursuant to s. 318.14 are as
 92 follows:

93 (2) Thirty dollars for all nonmoving traffic violations
 94 and:

95 (b) For all violations of ss. 320.0605, 320.07(1),
 96 322.065, and 322.15(1). Any person who is cited for a violation
 97 of s. 320.07(1) shall be charged a delinquent fee pursuant to s.
 98 320.07(5) ~~s. 320.07(4)~~.

99 1. If a person who is cited for a violation of s. 320.0605
 100 or s. 320.07 can show proof of having a valid registration at
 101 the time of arrest, the clerk of the court may dismiss the case
 102 and may assess a dismissal fee of up to \$7.50. A person who
 103 finds it impossible or impractical to obtain a valid
 104 registration certificate must submit an affidavit detailing the
 105 reasons for the impossibility or impracticality. The reasons may
 106 include, but are not limited to, the fact that the vehicle was
 107 sold, stolen, or destroyed; that the state in which the vehicle
 108 is registered does not issue a certificate of registration; or
 109 that the vehicle is owned by another person.

110 2. If a person who is cited for a violation of s. 322.03,
 111 s. 322.065, or s. 322.15 can show a driver's license issued to
 112 him or her and valid at the time of arrest, the clerk of the

113 court may dismiss the case and may assess a dismissal fee of up
 114 to \$7.50.

115 3. If a person who is cited for a violation of s. 316.646
 116 can show proof of security as required by s. 627.733, issued to
 117 the person and valid at the time of arrest, the clerk of the
 118 court may dismiss the case and may assess a dismissal fee of up
 119 to \$7.50. A person who finds it impossible or impractical to
 120 obtain proof of security must submit an affidavit detailing the
 121 reasons for the impracticality. The reasons may include, but are
 122 not limited to, the fact that the vehicle has since been sold,
 123 stolen, or destroyed; that the owner or registrant of the
 124 vehicle is not required by s. 627.733 to maintain personal
 125 injury protection insurance; or that the vehicle is owned by
 126 another person.

127 Section 4. Subsection (19) of section 320.01, Florida
 128 Statutes, is amended, and subsection (45) is added to that
 129 section, to read:

130 320.01 Definitions, general.--As used in the Florida
 131 Statutes, except as otherwise provided, the term:

132 (19) "Registration period" means a period of 12 months or
 133 24 months during which a motor vehicle or mobile home
 134 registration is valid.

135 (45) "Extended registration period" means a period of 24
 136 months during which a motor vehicle or mobile home registration
 137 is valid.

138 Section 5. Present subsections (2), (3), (4), (5), (6),
 139 and (7) of section 320.055, Florida Statutes, are redesignated
 140 as subsections (3), (4), (5), (6), (7), and (8), respectively,

141 and a new subsection (2) is added to that section, to read:

142 320.055 Registration periods; renewal periods.--The
 143 following registration periods and renewal periods are
 144 established:

145 (2) Any motor vehicle that is subject to registration
 146 under s. 320.08(1), (2), (3), (4)(a) or (b), (6), (7), (8), (9),
 147 (10), or (11) and is owned by a natural person is eligible for
 148 an extended registration period, which begins the first day of
 149 the birth month of the owner and ends the last day of the month
 150 immediately preceding the owner's birth month 24 months after
 151 the beginning of the registration period. If the vehicle is
 152 registered in the name of more than one person, the birth month
 153 of the person whose name first appears on the registration shall
 154 be used to determine the extended registration period. For a
 155 vehicle subject to this extended registration period, the
 156 renewal period is the 30-day period ending at midnight on the
 157 vehicle owner's date of birth.

158 Section 6. Paragraphs (b) and (c) of subsection (1) of
 159 section 320.06, Florida Statutes, are amended to read:

160 320.06 Registration certificates, license plates, and
 161 validation stickers generally.--

162 (1)

163 (b) Registration license plates bearing a graphic symbol
 164 and the alphanumeric system of identification shall be issued
 165 for a 6-year ~~5-year~~ period. At the end of that 6-year ~~said 5-~~
 166 ~~year~~ period, upon renewal, the plate shall be replaced. The fee
 167 for such replacement is \$12 ~~shall be \$10~~, \$2 of which shall be
 168 paid each year before the plate is replaced, to be credited

169 towards the next \$12 ~~\$10~~ replacement fee. The fees shall be
 170 deposited into the Highway Safety Operating Trust Fund. A credit
 171 or refund may ~~shall~~ not be given for any prior years' payments
 172 of such prorated replacement fee if ~~when~~ the plate is replaced
 173 or surrendered before the end of the 6-year ~~5-year~~ period. With
 174 each license plate, there shall be issued a validation sticker
 175 showing the owner's birth month, license plate number, and the
 176 year of expiration or the appropriate renewal period if the
 177 owner is not a natural person. The validation sticker shall ~~is~~
 178 ~~to~~ be placed on the upper right corner of the license plate.
 179 Such license plate and validation sticker shall be issued based
 180 on the applicant's appropriate renewal period. The registration
 181 period is ~~shall be~~ a period of 12 months, the extended
 182 registration period is a period of 24 months, and all
 183 expirations shall occur based on the applicant's appropriate
 184 registration period. A vehicle with an apportioned registration
 185 shall be issued an annual license plate and a cab card that
 186 denote the declared gross vehicle weight for each apportioned
 187 jurisdiction in which the vehicle is authorized to operate.

188 (c) Registration license plates equipped with validation
 189 stickers subject to the registration period are ~~shall be~~ valid
 190 for not more than 12 months and ~~shall~~ expire at midnight on the
 191 last day of the registration period. A registration license
 192 plate equipped with a validation sticker subject to the extended
 193 registration period is valid for not more than 24 months and
 194 expires at midnight on the last day of the extended registration
 195 period. For each registration period after the one in which the
 196 metal registration license plate is issued, and until the

197 license plate is required to be replaced, a validation sticker
 198 showing the month and year of expiration shall be issued upon
 199 payment of the proper license tax amount and fees and is ~~shall~~
 200 ~~be~~ valid for not more than 12 months. For each extended
 201 registration period occurring after the one in which the metal
 202 registration license plate is issued and until the license plate
 203 is required to be replaced, a validation sticker showing the
 204 year of expiration shall be issued upon payment of the proper
 205 license tax amount and fees and is valid for not more than 24
 206 months. When license plates equipped with validation stickers
 207 are issued in any month other than the owner's birth month or
 208 the designated registration period for any other motor vehicle,
 209 the effective date shall reflect the birth month or month and
 210 the year of renewal. However, when a license plate or validation
 211 sticker is issued for a period of less than 12 months, the
 212 applicant shall pay the appropriate amount of license tax and
 213 the applicable fee under ~~the provisions of~~ s. 320.14 in addition
 214 to all other fees. Validation stickers issued for vehicles taxed
 215 under ~~the provisions of~~ s. 320.08(6)(a), for any company that
 216 ~~which~~ owns 250 vehicles or more, or for semitrailers taxed under
 217 the provisions of s. 320.08(5)(a), for any company that ~~which~~
 218 owns 50 vehicles or more, may be placed on any vehicle in the
 219 fleet so long as the vehicle receiving the validation sticker
 220 has the same owner's name and address as the vehicle to which
 221 the validation sticker was originally assigned.

222 Section 7. Section 320.07, Florida Statutes, is amended to
 223 read:

224 320.07 Expiration of registration; ~~annual~~ renewal

225 required; penalties.--

226 (1) The registration of a motor vehicle or mobile home
 227 expires ~~shall expire~~ at midnight on the last day of the
 228 registration or extended registration period. A vehicle may
 229 ~~shall~~ not be operated on the roads of this state after
 230 expiration of the renewal period unless the registration has
 231 been renewed according to law.

232 (2) Registration shall be renewed annually during the
 233 applicable renewal period, upon payment of the applicable
 234 license tax amount required by s. 320.08, service charges
 235 required by s. 320.04, and any additional fees required by law.
 236 However, any person owning a motor vehicle registered under s.
 237 320.08(4), (6)(b), or (13) may register semiannually as provided
 238 in s. 320.0705.

239 (3) Any person who owns a motor vehicle registered under
 240 s. 320.08(1), (2), or (3) may renew the vehicle registration
 241 biennially during the applicable renewal period upon payment of
 242 the cumulative sum of all applicable license tax amounts
 243 required by s. 320.08, service charges required by s. 320.04,
 244 and any additional fees required by law for the 24-month
 245 extended registration period.

246 ~~(4)~~(3) The operation of any motor vehicle without having
 247 attached thereto a registration license plate and validation
 248 stickers, or the use of any mobile home without having attached
 249 thereto a mobile home sticker, for the current registration
 250 period shall subject the owner thereof, if he or she is present,
 251 or, if the owner is not present, the operator thereof to the
 252 following penalty provisions:

253 (a) Any person whose motor vehicle or mobile home
 254 registration has been expired for a period of 6 months or less
 255 commits a noncriminal traffic infraction, punishable as a
 256 nonmoving violation as provided in chapter 318.

257 (b) Any person whose motor vehicle or mobile home
 258 registration has been expired for more than 6 months, ~~shall~~ upon
 259 a first offense, is ~~be~~ subject to the penalty provided in s.
 260 318.14.

261 (c) Any person whose motor vehicle or mobile home
 262 registration has been expired for more than 6 months, ~~shall~~ upon
 263 a second or subsequent offense, commits ~~be guilty of~~ a
 264 misdemeanor of the second degree, punishable as provided in s.
 265 775.082 or s. 775.083.

266 (d) However, an ~~ne~~ operator may not ~~shall~~ be charged with
 267 a violation of this subsection if the operator can show,
 268 pursuant to a valid lease agreement, that the vehicle had been
 269 leased for a period of 30 days or less at the time of the
 270 offense.

271 (e) Any servicemember, as defined in s. 250.01, whose
 272 mobile home registration has expired while he or she has been
 273 serving on active duty or state active duty may ~~shall~~ not be
 274 charged with a violation of this subsection if, at the time of
 275 the offense, the servicemember was serving on active duty or
 276 state active duty 35 miles or more from the mobile home. The
 277 servicemember must present to the department either a copy of
 278 the official military orders or a written verification signed by
 279 the servicemember's commanding officer to receive a waiver of
 280 ~~waive~~ charges.

281 (5)~~(4)~~(a) In addition to a penalty provided in subsection
 282 (4) ~~(3)~~, a delinquent fee based on the following schedule of
 283 license taxes shall be imposed on any applicant who fails to
 284 renew a registration prior to the end of the month in which
 285 renewal registration is due. The delinquent fee shall be applied
 286 beginning on the 11th calendar day of the month succeeding the
 287 renewal period. The delinquent fee does ~~shall~~ not apply to those
 288 vehicles that ~~which~~ have not been required to be registered
 289 during the preceding registration period or as provided in s.
 290 320.18(2). The delinquent fee shall be imposed as follows:

- 291 1. License tax of \$5 but not more than \$25: \$5 flat.
- 292 2. License tax over \$25 but not more than \$50: \$10 flat.
- 293 3. License tax over \$50 but not more than \$100: \$15 flat.
- 294 4. License tax over \$100 but not more than \$400: \$50 flat.
- 295 5. License tax over \$400 but not more than \$600: \$100
- 296 flat.
- 297 6. License tax over \$600 and up: \$250 flat.

298 (b) A person who has been assessed a penalty pursuant to
 299 s. 316.545(2)(b) for failure to have a valid vehicle
 300 registration certificate is not subject to the delinquent fee
 301 authorized by this subsection if such person obtains a valid
 302 registration certificate within 10 working days after such
 303 penalty was assessed. The official receipt authorized by s.
 304 316.545(6) constitutes proof of payment of the penalty
 305 authorized in s. 316.545(2)(b).

306 (6)~~(5)~~ Any servicemember, as defined in s. 250.01, whose
 307 motor vehicle or mobile home registration has expired while he
 308 or she was serving on active duty or state active duty~~7~~ shall be

309 permitted ~~able~~ to renew his or her registration upon return from
 310 active duty or state active duty without penalty, if the
 311 servicemember served on active duty or state active duty 35
 312 miles or more from the servicemember's home of record prior to
 313 entering active duty or state active duty. The servicemember
 314 must provide to the department either a copy of the official
 315 military orders or a written verification signed by the
 316 servicemember's commanding officer to receive a waiver of ~~waive~~
 317 delinquent fees.

318 (7)~~(6)~~ Delinquent fees imposed under this section may
 319 ~~shall~~ not be apportionable under the International Registration
 320 Plan.

321 Section 8. Paragraph (a) of subsection (1) of section
 322 320.071, Florida Statutes, is amended to read:

323 320.071 Advance registration renewal; procedures.--

324 (1)(a) The owner of any motor vehicle or mobile home
 325 currently registered in this state may file an application for
 326 renewal of registration with the department, or its authorized
 327 agent in the county wherein the owner resides, any time during
 328 the 3 months preceding the date of expiration of the
 329 registration period. The registration period may not exceed 27
 330 months.

331 Section 9. Subsection (3) of section 322.121, Florida
 332 Statutes, is amended to read:

333 322.121 Periodic reexamination of all drivers.--

334 (3) For each licensee whose driving record does not show
 335 any revocations, disqualifications, or suspensions for the
 336 preceding 7 years or any convictions for the preceding 3 years

337 except for convictions of the following nonmoving violations:

338 (a) Failure to exhibit a vehicle registration certificate,
339 rental agreement, or cab card pursuant to s. 320.0605;

340 (b) Failure to renew a motor vehicle or mobile home
341 registration that has been expired for 4 months or less pursuant
342 to s. 320.07(4)(a) ~~s. 320.07(3)(a)~~;

343 (c) Operating a motor vehicle with an expired license that
344 has been expired for 4 months or less pursuant to s. 322.065;

345 (d) Failure to carry or exhibit a license pursuant to s.
346 322.15(1); or

347 (e) Failure to notify the department of a change of
348 address or name within 10 days pursuant to s. 322.19,

349

350 the department shall cause such licensee's license to be
351 prominently marked with the notation "Safe Driver."

352 Section 10. Subsection (12) of section 328.72, Florida
353 Statutes, is amended to read:

354 328.72 Classification; registration; fees and charges;
355 surcharge; disposition of fees; fines; marine turtle stickers.--

356 (12) REGISTRATION.--

357 (a) "Registration period" is a period of 12 months during
358 which a vessel registration is valid.

359 (b) Any vessel owner who is subject to registration under
360 subparagraph (c)1. is eligible for an extended registration
361 period that begins the first day of the birth month of the owner
362 and ends the last day of the month immediately preceding the
363 owner's birth month 24 months after the beginning of the
364 registration period. If the vessel is registered in the name of

365 more than one person, the birth month of the person whose name
 366 first appears on the registration shall be used to determine the
 367 extended registration period. For a vessel subject to this
 368 extended registration period, the renewal period is the 30-day
 369 period ending at midnight on the vessel owner's date of birth.
 370 ~~"Renewal period" is a period of 30 days during which renewal of~~
 371 ~~a vessel registration is required, except as otherwise provided~~
 372 ~~by law.~~

373 (c) The following registration periods and renewal periods
 374 are established:

375 1. For vessels owned by individuals, the registration
 376 period begins the first day of the birth month of the owner and
 377 ends the last day of the month immediately preceding the owner's
 378 birth month in the succeeding year. If the vessel is registered
 379 in the name of more than one person, the birth month of the
 380 person whose name first appears on the registration shall be
 381 used to determine the registration period. For a vessel subject
 382 to this registration period, the renewal period is the 30-day
 383 period ending at midnight on the vessel owner's date of birth.

384 2. For vessels owned by companies, corporations,
 385 governmental entities, and registrations issued to dealers and
 386 manufacturers, the registration period begins July 1 and ends
 387 June 30. The renewal period is the 30-day period beginning June
 388 1.

389 Section 11. This act shall take effect January 1, 2006.