

CHAMBER ACTION

1 The Transportation Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to motor vehicles; amending s. 316.2952,
7 F.S.; defining "former military vehicle"; exempting such
8 vehicles from certain windshield requirements; requiring
9 eye-protective devices while such vehicle is in operation;
10 providing penalties for violation; amending s. 316.605,
11 F.S.; exempting certain former military vehicles from
12 license plate display requirements; amending s. 320.086,
13 F.S.; providing for issuance of special license plates for
14 certain former military vehicles; exempting certain former
15 military vehicles from license plate display requirements;
16 requiring the plate and registration certificate to be in
17 the vehicle and available for inspection; defining "former
18 military vehicle"; amending s. 320.089, F.S.; providing
19 for a Combat Infantry Badge license plate for active or
20 retired United States Army personnel who have been awarded
21 the Combat Infantry Badge; amending s. 320.10, F.S.;
22 exempting motor vehicles owned and operated exclusively

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23 | for the Daily Bread Food Bank from specified license
24 | taxes; providing an effective date.

25 |
26 | Be It Enacted by the Legislature of the State of Florida:

27 |
28 | Section 1. Subsection (6) of section 316.2952, Florida
29 | Statutes, is renumbered as subsection (7), and a new subsection
30 | (6) is added to said section, to read:

31 | 316.2952 Windshields; requirements; restrictions.--

32 | (6) A former military vehicle is exempt from the
33 | requirements of this section if the department determines that
34 | the exemption is necessary to maintain the vehicle's accurate
35 | military design and markings. However, whenever the vehicle is
36 | operating on the public roads and highways, the operator and
37 | passengers must wear eye-protective devices approved by the
38 | department. For purposes of this subsection, "former military
39 | vehicle" means a vehicle, including a trailer, regardless of the
40 | vehicle's size, weight, or year of manufacture, that was
41 | manufactured for use in any country's military forces and is
42 | maintained to represent its military design and markings
43 | accurately.

44 | ~~(7)(6)~~ A violation of this section is a noncriminal
45 | traffic infraction, punishable as a nonmoving violation as
46 | provided in chapter 318.

47 | Section 2. Subsection (1) of section 316.605, Florida
48 | Statutes, is amended to read:

49 | 316.605 Licensing of vehicles.--

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50 (1) Every vehicle, at all times while driven, stopped, or
51 parked upon any highways, roads, or streets of this state, shall
52 be licensed in the name of the owner thereof in accordance with
53 the laws of this state unless such vehicle is not required by
54 the laws of this state to be licensed in this state and shall,
55 except as otherwise provided in s. 320.0706 for front-end
56 registration license plates on truck tractors and s. 320.086(5)
57 which exempts display of license plates on described former
58 military vehicles, display the license plate or both of the
59 license plates assigned to it by the state, one on the rear and,
60 if two, the other on the front of the vehicle, each to be
61 securely fastened to the vehicle outside the main body of the
62 vehicle in such manner as to prevent the plates from swinging,
63 with all letters, numerals, printing, writing, and other
64 identification marks upon the plates clear and distinct and free
65 from defacement, mutilation, grease, and other obscuring matter,
66 so that they will be plainly visible and legible at all times
67 100 feet from the rear or front. Nothing shall be placed upon
68 the face of a Florida plate except as permitted by law or by
69 rule or regulation of a governmental agency. No license plates
70 other than those furnished by the state shall be used. However,
71 if the vehicle is not required to be licensed in this state, the
72 license plates on such vehicle issued by another state, by a
73 territory, possession, or district of the United States, or by a
74 foreign country, substantially complying with the provisions
75 hereof, shall be considered as complying with this chapter. A
76 violation of this subsection is a noncriminal traffic

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77 | infraction, punishable as a nonmoving violation as provided in
78 | chapter 318.

79 | Section 3. Section 320.086, Florida Statutes, is amended
80 | to read:

81 | 320.086 Ancient or antique motor vehicles; ~~"horseless~~
82 | carriage,~~" antique, or historical license plates;~~ former
83 | military vehicles.--

84 | (1) The owner of a motor vehicle for private use
85 | manufactured in 1945 or earlier, equipped with an engine
86 | manufactured in 1945 or earlier or manufactured to the
87 | specifications of the original engine, and operated on the
88 | streets and highways of this state shall, upon application in
89 | the manner and at the time prescribed by the department and upon
90 | payment of the license tax for an ancient motor vehicle
91 | prescribed by s. 320.08(1)(d), (2)(a), or (3)(e), be issued a
92 | special license plate for such motor vehicle. The license plate
93 | shall be permanent and valid for use without renewal so long as
94 | the vehicle is in existence. In addition to the payment of all
95 | other fees required by law, the applicant shall pay such fee for
96 | the issuance of the special license plate as may be prescribed
97 | by the department commensurate with the cost of its manufacture.
98 | The registration numbers and special license plates assigned to
99 | such motor vehicles shall run in a separate numerical series,
100 | commencing with "Horseless Carriage No. 1," and the plates shall
101 | be of a distinguishing color.

102 | (2)(a) The owner of a motor vehicle for private use
103 | manufactured after 1945 and of the age of 30 years or more after
104 | the date of manufacture, equipped with an engine of the age of

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105 30 years or more after the date of manufacture, and operated on
 106 the streets and highways of this state may, upon application in
 107 the manner and at the time prescribed by the department and upon
 108 payment of the license tax prescribed by s. 320.08(1)(d),
 109 (2)(a), or (3)(e), be issued a special license plate for such
 110 motor vehicle. In addition to the payment of all other fees
 111 required by law, the applicant shall pay the fee for the
 112 issuance of the special license plate prescribed by the
 113 department, commensurate with the cost of its manufacture. The
 114 registration numbers and special license plates assigned to such
 115 motor vehicles shall run in a separate numerical series,
 116 commencing with "Antique No. 1," and the plates shall be of a
 117 distinguishing color. The owner of the motor vehicle may, upon
 118 application and payment of the license tax prescribed by s.
 119 320.08, be issued a regular Florida license plate or specialty
 120 license plate in lieu of the special "Antique" license plate.

121 (b) Motor vehicles licensed under this section which have
 122 been issued a permanent license plate prior to October 1, 1999,
 123 shall maintain such plate unless the vehicle is transferred to a
 124 new owner. Motor vehicles licensed under this section which have
 125 been issued a "Collectible" license plate prior to October 1,
 126 1999, may retain that license plate until the next regularly
 127 scheduled replacement.

128 (3) The owner of an ancient or antique firefighting
 129 apparatus, former military vehicle, or other historical motor
 130 vehicle ~~or trailer identifiable as a military trailer~~ 30 years
 131 old or older which is used only in exhibitions, parades, or
 132 public display, may, upon application in the manner and at the

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133 | time prescribed by the department and upon payment of the
 134 | license tax prescribed by s. 320.08(2)(a), be issued a license
 135 | plate as prescribed in subsection (1) or subsection (2). License
 136 | plates issued under this subsection shall be permanent and valid
 137 | for use without renewal as long as the vehicle is in existence
 138 | and its use is consistent with this subsection.

139 | (4) Any person who is the registered owner of a motor
 140 | vehicle as defined in this section and manufactured in the model
 141 | year 1974 or earlier, may apply to the department for permission
 142 | to use a historical Florida license plate that clearly
 143 | represents the model year of the vehicle as a personalized
 144 | prestige license plate. This plate shall be furnished by such
 145 | person and shall be presented to the department with a
 146 | reasonable fee to be determined by the department for approval
 147 | and for authentication that the historic license plate and any
 148 | applicable decals were issued by this state in the same year as
 149 | the model year of the car or truck. The requirements of s.
 150 | 320.0805(8)(b) do not apply to historical plates authorized
 151 | under this subsection.

152 | (5) A former military vehicle that is used only in
 153 | exhibitions, parades, or public display is exempt from the
 154 | requirement to display a license plate or registration insignia
 155 | if the exemption is necessary to maintain the vehicle's accurate
 156 | military markings. However, the license plate and registration
 157 | certificate issued under this section must be carried within the
 158 | vehicle and available for inspection by any law enforcement
 159 | officer.

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

166 Section 4. Subsection (1) of section 320.089, Florida
 167 Statutes, is amended to read:

168 320.089 Members of National Guard and active United States
 169 Armed Forces reservists; Combat Infantry Badge recipients;
 170 former prisoners of war; survivors of Pearl Harbor; Purple Heart
 171 medal recipients; special license plates; fee.--

172 (1)(a) Each owner or lessee of an automobile or truck for
 173 private use or recreational vehicle as specified in s.
 174 320.08(9)(c) or (d), which is not used for hire or commercial
 175 use, who is a resident of the state and an active or retired
 176 member of the Florida National Guard, an active or retired
 177 member of the United States Army who received the Combat
 178 Infantry Badge, a survivor of the attack on Pearl Harbor, a
 179 recipient of the Purple Heart medal, or an active member of any
 180 branch of the United States Armed Forces Reserve shall, upon
 181 application to the department, accompanied by proof of active
 182 membership or retired status in the Florida National Guard,
 183 proof of being a Combat Infantry Badge recipient, proof of
 184 membership in the Pearl Harbor Survivors Association or proof of
 185 active military duty in Pearl Harbor on December 7, 1941, proof
 186 of being a Purple Heart medal recipient, or proof of active
 187 membership in any branch of the Armed Forces Reserve, and upon

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188 payment of the license tax for the vehicle as provided in s.
189 320.08, be issued a license plate as provided by s. 320.06, upon
190 which, in lieu of the serial numbers prescribed by s. 320.06,
191 shall be stamped the words "National Guard," "Combat Infantry
192 Badge," "Pearl Harbor Survivor," "Combat-wounded veteran," or
193 "U.S. Reserve," as appropriate, followed by the serial number of
194 the license plate. Additionally, the Purple Heart plate may have
195 the words "Purple Heart" stamped on the plate and the likeness
196 of the Purple Heart medal appearing on the plate, and the Combat
197 Infantry Badge plate may have the words "Combat Infantry Badge"
198 stamped on the plate and the likeness of the Combat Infantry
199 Badge appearing on the plate.

200 (b) Notwithstanding any other provision of law to the
201 contrary, beginning with fiscal year 2002-2003 and annually
202 thereafter, the first \$100,000 in general revenue generated from
203 the sale of license plates issued under this section which are
204 stamped with the words "National Guard," "Combat Infantry
205 Badge," "Pearl Harbor Survivor," "Combat-wounded veteran," or
206 "U.S. Reserve" shall be deposited into the Grants and Donations
207 Trust Fund, as described in s. 296.38(2), to be used for the
208 purposes established by law for that trust fund.

209 (c) Notwithstanding any provisions of law to the contrary,
210 an applicant for a Pearl Harbor Survivor license plate, ~~or~~ a
211 Purple Heart license plate, or a Combat Infantry Badge license
212 plate who also qualifies for a disabled veteran's license plate
213 under s. 320.084 shall be issued the appropriate special license
214 plate without payment of the license tax imposed by s. 320.08.

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215 Section 5. Paragraph (c) of subsection (1) of section
216 320.10, Florida Statutes, is amended to read:

217 320.10 Exemptions.--

218 (1) The provisions of s. 320.08 do not apply to:

219 (c) Any motor vehicle owned and operated exclusively for
220 the benefit of the Boys' Clubs of America, the National Audubon
221 Society, the National Children's Cardiac Hospital, any humane
222 society, any nationally chartered veterans' organization that
223 maintains a state headquarters in this state, the Children's
224 Bible Mission, the Boy Scouts of America, the Girl Scouts of
225 America, the Salvation Army, the American National Red Cross,
226 the United Service Organization, any local member unit of the
227 National Urban League which provides free services to municipal
228 and county residents who are in need of such services, the Young
229 Men's Christian Association, the Young Men's Hebrew Association,
230 the Camp Fire Girls' Council, the Young Women's Christian
231 Association, the Young Women's Hebrew Association, any local
232 member unit of the Association for Retarded Citizens, the
233 Children's Home Society of Florida, the Daily Bread Food Bank,
234 or the Goodwill Industries. A not-for-profit organization named
235 in this paragraph and its local affiliate organizations shall be
236 eligible for the exemption for so long as each maintains current
237 articles of incorporation on file with the Department of State
238 and qualifies as a not-for-profit organization under s. 212.08;

239 Section 6. This act shall take effect July 1, 2005.