

CHAMBER ACTION

1 The Military & Veteran Affairs Committee recommends the  
2 following:

3  
4 **Council/Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to former military vehicles; amending s.  
8 316.2952, F.S.; defining "former military vehicle";  
9 exempting such vehicles from certain windshield  
10 requirements; requiring eye-protective devices while such  
11 vehicle is in operation; providing penalties for  
12 violation; amending s. 316.605, F.S.; exempting certain  
13 former military vehicles from license plate display  
14 requirements; amending s. 320.086, F.S.; providing for  
15 issuance of special license plates for certain former  
16 military vehicles; exempting certain former military  
17 vehicles from license plate display requirements;  
18 requiring the plate and registration certificate to be in  
19 the vehicle and available for inspection; defining "former  
20 military vehicle"; providing an effective date.

21  
22 Be It Enacted by the Legislature of the State of Florida:

HB 623 CS

2005  
CS

24 Section 1. Subsection (6) of section 316.2952, Florida  
25 Statutes, is renumbered as subsection (7), and a new subsection  
26 (6) is added to said section, to read:

27 316.2952 Windshields; requirements; restrictions.--

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

40 ~~(7)(6)~~ A violation of this section is a noncriminal  
41 traffic infraction, punishable as a nonmoving violation as  
42 provided in chapter 318.

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

45 316.605 Licensing of vehicles.--

46 (1) Every vehicle, at all times while driven, stopped, or  
47 parked upon any highways, roads, or streets of this state, shall  
48 be licensed in the name of the owner thereof in accordance with  
49 the laws of this state unless such vehicle is not required by  
50 the laws of this state to be licensed in this state and shall,  
51 except as otherwise provided in s. 320.0706 for front-end

HB 623 CS

2005  
CS

52 | registration license plates on truck tractors and s. 320.086(5)  
 53 | which exempts display of license plates on described former  
 54 | military vehicles, display the license plate or both of the  
 55 | license plates assigned to it by the state, one on the rear and,  
 56 | if two, the other on the front of the vehicle, each to be  
 57 | securely fastened to the vehicle outside the main body of the  
 58 | vehicle in such manner as to prevent the plates from swinging,  
 59 | with all letters, numerals, printing, writing, and other  
 60 | identification marks upon the plates clear and distinct and free  
 61 | from defacement, mutilation, grease, and other obscuring matter,  
 62 | so that they will be plainly visible and legible at all times  
 63 | 100 feet from the rear or front. Nothing shall be placed upon  
 64 | the face of a Florida plate except as permitted by law or by  
 65 | rule or regulation of a governmental agency. No license plates  
 66 | other than those furnished by the state shall be used. However,  
 67 | if the vehicle is not required to be licensed in this state, the  
 68 | license plates on such vehicle issued by another state, by a  
 69 | territory, possession, or district of the United States, or by a  
 70 | foreign country, substantially complying with the provisions  
 71 | hereof, shall be considered as complying with this chapter. A  
 72 | violation of this subsection is a noncriminal traffic  
 73 | infraction, punishable as a nonmoving violation as provided in  
 74 | chapter 318.

75 | Section 3. Section 320.086, Florida Statutes, is amended  
 76 | to read:

77 | 320.086 Ancient or antique motor vehicles; ~~"horseless~~  
 78 | carriage," antique, or historical license plates; former  
 79 | military vehicles.--

HB 623 CS

2005  
CS

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

98 (2)(a) The owner of a motor vehicle for private use  
99 manufactured after 1945 and of the age of 30 years or more after  
100 the date of manufacture, equipped with an engine of the age of  
101 30 years or more after the date of manufacture, and operated on  
102 the streets and highways of this state may, upon application in  
103 the manner and at the time prescribed by the department and upon  
104 payment of the license tax prescribed by s. 320.08(1)(d),  
105 (2)(a), or (3)(e), be issued a special license plate for such  
106 motor vehicle. In addition to the payment of all other fees  
107 required by law, the applicant shall pay the fee for the

Page 4 of 6

HB 623 CS

2005  
CS

108 issuance of the special license plate prescribed by the  
 109 department, commensurate with the cost of its manufacture. The  
 110 registration numbers and special license plates assigned to such  
 111 motor vehicles shall run in a separate numerical series,  
 112 commencing with "Antique No. 1," and the plates shall be of a  
 113 distinguishing color. The owner of the motor vehicle may, upon  
 114 application and payment of the license tax prescribed by s.  
 115 320.08, be issued a regular Florida license plate or specialty  
 116 license plate in lieu of the special "Antique" license plate.

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

124 (3) The owner of an ancient or antique firefighting  
 125 apparatus, former military vehicle, or other historical motor  
 126 vehicle ~~or trailer identifiable as a military trailer~~ 30 years  
 127 old or older which is used only in exhibitions, parades, or  
 128 public display, may, upon application in the manner and at the  
 129 time prescribed by the department and upon payment of the  
 130 license tax prescribed by s. 320.08(2)(a), be issued a license  
 131 plate as prescribed in subsection (1) or subsection (2). License  
 132 plates issued under this subsection shall be permanent and valid  
 133 for use without renewal as long as the vehicle is in existence  
 134 and its use is consistent with this subsection.

135 (4) Any person who is the registered owner of a motor  
 136 vehicle as defined in this section and manufactured in the model  
 137 year 1974 or earlier~~7~~ may apply to the department for permission  
 138 to use a historical Florida license plate that clearly  
 139 represents the model year of the vehicle as a personalized  
 140 prestige license plate. This plate shall be furnished by such  
 141 person and shall be presented to the department with a  
 142 reasonable fee to be determined by the department for approval  
 143 and for authentication that the historic license plate and any  
 144 applicable decals were issued by this state in the same year as  
 145 the model year of the car or truck. The requirements of s.  
 146 320.0805(8)(b) do not apply to historical plates authorized  
 147 under this subsection.

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

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

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