

ENROLLED  
 HB 623, Engrossed 1

2005 Legislature

1                                   A bill to be entitled  
 2           An act relating to former military vehicles; amending s.  
 3           316.2952, F.S.; defining "former military vehicle";  
 4           exempting such vehicles from certain windshield  
 5           requirements; requiring eye-protective devices while such  
 6           vehicle is in operation; providing penalties for  
 7           violation; amending s. 316.605, F.S.; exempting certain  
 8           former military vehicles from license plate display  
 9           requirements; amending s. 320.086, F.S.; providing for  
 10          issuance of special license plates for certain former  
 11          military vehicles; exempting certain former military  
 12          vehicles from license plate display requirements;  
 13          requiring the plate and registration certificate to be in  
 14          the vehicle and available for inspection; defining "former  
 15          military vehicle"; providing an effective date.

16  
 17   Be It Enacted by the Legislature of the State of Florida:

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

22           316.2952 Windshields; requirements; restrictions.--  
 23           (6) A former military vehicle is exempt from the  
 24           requirements of this section if the department determines that  
 25           the exemption is necessary to maintain the vehicle's accurate  
 26           military design and markings. However, whenever the vehicle is  
 27           operating on the public roads and highways, the operator and  
 28           passengers must wear eye-protective devices approved by the

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29 department. For purposes of this subsection, "former military  
 30 vehicle" means a vehicle, including a trailer, regardless of the  
 31 vehicle's size, weight, or year of manufacture, that was  
 32 manufactured for use in any country's military forces and is  
 33 maintained to represent its military design and markings  
 34 accurately.

35 ~~(7)(6)~~ A violation of this section is a noncriminal  
 36 traffic infraction, punishable as a nonmoving violation as  
 37 provided in chapter 318.

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

40 316.605 Licensing of vehicles.--

41 (1) Every vehicle, at all times while driven, stopped, or  
 42 parked upon any highways, roads, or streets of this state, shall  
 43 be licensed in the name of the owner thereof in accordance with  
 44 the laws of this state unless such vehicle is not required by  
 45 the laws of this state to be licensed in this state and shall,  
 46 except as otherwise provided in s. 320.0706 for front-end  
 47 registration license plates on truck tractors and s. 320.086(5)  
 48 which exempts display of license plates on described former  
 49 military vehicles, display the license plate or both of the  
 50 license plates assigned to it by the state, one on the rear and,  
 51 if two, the other on the front of the vehicle, each to be  
 52 securely fastened to the vehicle outside the main body of the  
 53 vehicle in such manner as to prevent the plates from swinging,  
 54 with all letters, numerals, printing, writing, and other  
 55 identification marks upon the plates clear and distinct and free  
 56 from defacement, mutilation, grease, and other obscuring matter,

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57 | so that they will be plainly visible and legible at all times  
58 | 100 feet from the rear or front. Nothing shall be placed upon  
59 | the face of a Florida plate except as permitted by law or by  
60 | rule or regulation of a governmental agency. No license plates  
61 | other than those furnished by the state shall be used. However,  
62 | if the vehicle is not required to be licensed in this state, the  
63 | license plates on such vehicle issued by another state, by a  
64 | territory, possession, or district of the United States, or by a  
65 | foreign country, substantially complying with the provisions  
66 | hereof, shall be considered as complying with this chapter. A  
67 | violation of this subsection is a noncriminal traffic  
68 | infraction, punishable as a nonmoving violation as provided in  
69 | chapter 318.

70 |       Section 3. Section 320.086, Florida Statutes, is amended  
71 | to read:

72 |       320.086 Ancient or antique motor vehicles; ~~"horseless~~  
73 | carriage," antique, or historical license plates; former  
74 | military vehicles.--

75 |       (1) The owner of a motor vehicle for private use  
76 | manufactured in 1945 or earlier, equipped with an engine  
77 | manufactured in 1945 or earlier or manufactured to the  
78 | specifications of the original engine, and operated on the  
79 | streets and highways of this state shall, upon application in  
80 | the manner and at the time prescribed by the department and upon  
81 | payment of the license tax for an ancient motor vehicle  
82 | prescribed by s. 320.08(1)(d), (2)(a), or (3)(e), be issued a  
83 | special license plate for such motor vehicle. The license plate  
84 | shall be permanent and valid for use without renewal so long as

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85 | the vehicle is in existence. In addition to the payment of all  
86 | other fees required by law, the applicant shall pay such fee for  
87 | the issuance of the special license plate as may be prescribed  
88 | by the department commensurate with the cost of its manufacture.  
89 | The registration numbers and special license plates assigned to  
90 | such motor vehicles shall run in a separate numerical series,  
91 | commencing with "Horseless Carriage No. 1," and the plates shall  
92 | be of a distinguishing color.

93 |         (2) (a) The owner of a motor vehicle for private use  
94 | manufactured after 1945 and of the age of 30 years or more after  
95 | the date of manufacture, equipped with an engine of the age of  
96 | 30 years or more after the date of manufacture, and operated on  
97 | the streets and highways of this state may, upon application in  
98 | the manner and at the time prescribed by the department and upon  
99 | payment of the license tax prescribed by s. 320.08(1)(d),  
100 | (2) (a), or (3) (e), be issued a special license plate for such  
101 | motor vehicle. In addition to the payment of all other fees  
102 | required by law, the applicant shall pay the fee for the  
103 | issuance of the special license plate prescribed by the  
104 | department, commensurate with the cost of its manufacture. The  
105 | registration numbers and special license plates assigned to such  
106 | motor vehicles shall run in a separate numerical series,  
107 | commencing with "Antique No. 1," and the plates shall be of a  
108 | distinguishing color. The owner of the motor vehicle may, upon  
109 | application and payment of the license tax prescribed by s.  
110 | 320.08, be issued a regular Florida license plate or specialty  
111 | license plate in lieu of the special "Antique" license plate.

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

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

130 (4) Any person who is the registered owner of a motor  
 131 vehicle as defined in this section and manufactured in the model  
 132 year 1974 or earlier, may apply to the department for permission  
 133 to use a historical Florida license plate that clearly  
 134 represents the model year of the vehicle as a personalized  
 135 prestige license plate. This plate shall be furnished by such  
 136 person and shall be presented to the department with a  
 137 reasonable fee to be determined by the department for approval  
 138 and for authentication that the historic license plate and any  
 139 applicable decals were issued by this state in the same year as

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140 the model year of the car or truck. The requirements of s.  
141 320.0805(8)(b) do not apply to historical plates authorized  
142 under this subsection.

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

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

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