

1 A bill to be entitled
 2 An act relating to motor fuel efficiency incentives;
 3 amending s. 212.08, F.S.; providing a partial tax
 4 exemption for certain motor vehicles; amending s.
 5 316.0741, F.S.; providing for certain motor vehicles to be
 6 allowed to occupy the high occupancy vehicle lane
 7 regardless of the number of occupants; providing an
 8 effective date.

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

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 12 Section 1. Subsection (18) is added to section 212.08,
 13 Florida Statutes, to read:

14 212.08 Sales, rental, use, consumption, distribution, and
 15 storage tax; specified exemptions.--The sale at retail, the
 16 rental, the use, the consumption, the distribution, and the
 17 storage to be used or consumed in this state of the following
 18 are hereby specifically exempt from the tax imposed by this
 19 chapter.

20 (18) PARTIAL EXEMPTION; HYBRID MOTOR VEHICLES.--Hybrid
 21 motor vehicles eligible for tax credits under the federal Energy
 22 Policy Act of 2005 are exempt from the first \$500 of tax imposed
 23 by this chapter.

24 Section 2. Subsection (4) of section 316.0741, Florida
 25 Statutes, is amended to read:

26 316.0741 High occupancy vehicle lanes.--

27 (4) Notwithstanding any other provision of this section,
 28 an inherently low-emission vehicle (ILEV) that is certified and

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29 | labeled in accordance with federal regulations may be driven in
30 | an HOV lane at any time, regardless of its occupancy. In
31 | addition, upon the state's receipt of written notice from the
32 | proper federal regulatory agency authorizing such use, a vehicle
33 | defined as a hybrid vehicle under this section may be driven in
34 | an HOV lane at any time, regardless of its occupancy. The
35 | department shall issue a decal and registration certificate, to
36 | be renewed annually, reflecting the HOV lane designation on such
37 | vehicles authorizing such use. The department may charge a fee
38 | for a decal, not to exceed the costs of designing, producing,
39 | and distributing each decal, or \$5, whichever is less. The
40 | proceeds from sale of the decals shall be deposited in the
41 | Highway Safety Operating Trust Fund. The department shall add to
42 | the list of vehicles eligible to travel in HOV lanes any vehicle
43 | with a federal Environmental Protection Agency highway rating of
44 | more than 40 miles per gallon but may remove some or all of such
45 | vehicles from the list if, in the department's discretion,
46 | congestion results in defeating the goal of greater fuel
47 | economy. Under such circumstances, the department shall remove
48 | from the list the most fuel economical vehicles last.

49 | Section 3. This act shall take effect July 1, 2006.