

Bill No. SB 442

Barcode 173534

CHAMBER ACTION

Senate

House

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The Committee on Finance and Tax (Atwater) recommended the following amendment:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause

and insert:

Section 1. Subsection (19) of section 320.01, Florida Statutes, is amended to read:

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

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

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

Section 2. Subsection (1) of section 320.055, Florida Statutes, is amended to read:

320.055 Registration periods; renewal periods.--The following registration periods and renewal periods are

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1 established:

2           (1)(a) For a motor vehicle subject to registration  
3 under s. 320.08(1), (2), (3), (5)(b), (c), (d), or (f),  
4 (6)(a), (7), (8), (9), or (10) and owned by a natural person,  
5 the registration period begins the first day of the birth  
6 month of the owner and ends the last day of the month  
7 immediately preceding the owner's birth month in the  
8 succeeding year. If the ~~such~~ vehicle is registered in the name  
9 of more than one person, the birth month of the person whose  
10 name first appears on the registration shall be used to  
11 determine the registration period. For a vehicle subject to  
12 this registration period, the renewal period is the 30-day  
13 period ending at midnight on the vehicle owner's date of  
14 birth.

15           (b) A motor vehicle or mobile home that is subject to  
16 registration under s. 320.08(1), (2), (3), (4)(a) or (b), (6),  
17 (7), (8), (9), (10), or (11) is eligible for an extended  
18 registration period as defined in s. 320.01(19)(b).

19           ~~(c)(b)~~ Notwithstanding the requirements of paragraph  
20 (a), the owner of a motor vehicle subject to paragraph (a) who  
21 has had his or her driver's license suspended pursuant to a  
22 violation of s. 316.193 or pursuant to s. 322.26(2) for  
23 driving under the influence must obtain a 6-month registration  
24 as a condition of reinstating the license, subject to renewal  
25 during the 3-year period that financial responsibility  
26 requirements apply. The registration period begins the first  
27 day of the birth month of the owner and ends the last day of  
28 the fifth month immediately following the owner's birth month.  
29 For such vehicles, the department shall issue a vehicle  
30 registration certificate that is valid for 6 months and shall  
31 issue a validation sticker that displays an expiration date of

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1 6 months after the date of issuance. The license tax required  
 2 by s. 320.08 and all other applicable license taxes shall be  
 3 one-half of the amount otherwise required, except the service  
 4 charge required by s. 320.04 shall be paid in full for each  
 5 6-month registration. A vehicle required to be registered  
 6 under this paragraph is not eligible for the extended  
 7 registration period under paragraph (b).

8 Section 3. Paragraphs (b) and (c) of subsection (1) of  
 9 section 320.06, Florida Statutes, are amended to read:

10 320.06 Registration certificates, license plates, and  
 11 validation stickers generally.--

12 (1)

13 (b) Registration license plates bearing a graphic  
 14 symbol and the alphanumeric system of identification shall be  
 15 issued for a 6-year ~~5-year~~ period. At the end of the 6-year  
 16 ~~said 5-year~~ period, upon renewal, the plate shall be replaced.  
 17 The department shall stagger the implementation of the 6-year  
 18 license plate replacement cycle. The fee for such replacement  
 19 is \$12 ~~shall be \$10~~, \$2 of which shall be paid each year  
 20 before the plate is replaced, to be credited towards the next  
 21 \$12 ~~\$10~~ replacement fee. The fees shall be deposited into the  
 22 Highway Safety Operating Trust Fund. A credit or refund shall  
 23 not be given for any prior years' payments of such prorated  
 24 replacement fee if ~~when~~ the plate is replaced or surrendered  
 25 before the end of the 6-year ~~5-year~~ period, except that a  
 26 credit may be given when a registrant is required by the  
 27 department to replace a license plate under s.  
 28 320.08056(8)(a). With each license plate, there shall be  
 29 issued a validation sticker showing the owner's birth month,  
 30 license plate number, and the year of expiration or the  
 31 appropriate renewal period if the owner is not a natural

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1 person. The validation sticker shall ~~is to~~ be placed on the  
2 upper right corner of the license plate. Such license plate  
3 and validation sticker shall be issued based on the  
4 applicant's appropriate renewal period. The registration  
5 period is ~~shall be~~ a period of 12 months, the extended  
6 registration period is a period of 24 months, and all  
7 expirations shall occur based on the applicant's appropriate  
8 registration period. A vehicle with an apportioned  
9 registration shall be issued an annual license plate and a cab  
10 card that denote the declared gross vehicle weight for each  
11 apportioned jurisdiction in which the vehicle is authorized to  
12 operate.

13 (c) Registration license plates equipped with  
14 validation stickers subject to the registration period are  
15 ~~shall be~~ valid for not more than 12 months and ~~shall~~ expire at  
16 midnight on the last day of the registration period. A  
17 registration license plate equipped with a validation sticker  
18 subject to the extended registration period is valid for not  
19 more than 24 months and expires at midnight on the last day of  
20 the extended registration period. For each registration period  
21 after the one in which the metal registration license plate is  
22 issued, and until the license plate is required to be  
23 replaced, a validation sticker showing the month and year of  
24 expiration shall be issued upon payment of the proper license  
25 tax amount and fees and is ~~shall be~~ valid for not more than 12  
26 months. For each extended registration period occurring after  
27 the one in which the metal registration license plate is  
28 issued and until the license plate is required to be replaced,  
29 a validation sticker showing the year of expiration shall be  
30 issued upon payment of the proper license tax amount and fees  
31 and is valid for not more than 24 months. When license plates

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1 equipped with validation stickers are issued in any month  
2 other than the owner's birth month or the designated  
3 registration period for any other motor vehicle, the effective  
4 date shall reflect the birth month or month and the year of  
5 renewal. However, when a license plate or validation sticker  
6 is issued for a period of less than 12 months, the applicant  
7 shall pay the appropriate amount of license tax and the  
8 applicable fee under ~~the provisions of~~ s. 320.14 in addition  
9 to all other fees. Validation stickers issued for vehicles  
10 taxed under ~~the provisions of~~ s. 320.08(6)(a), for any company  
11 that ~~which~~ owns 250 vehicles or more, or for semitrailers  
12 taxed under the provisions of s. 320.08(5)(a), for any company  
13 that ~~which~~ owns 50 vehicles or more, may be placed on any  
14 vehicle in the fleet so long as the vehicle receiving the  
15 validation sticker has the same owner's name and address as  
16 the vehicle to which the validation sticker was originally  
17 assigned.

18 Section 4. Section 320.07, Florida Statutes, is  
19 amended to read:

20 320.07 Expiration of registration; ~~annual~~ renewal  
21 required; penalties.--

22 (1) The registration of a motor vehicle or mobile home  
23 expires ~~shall expire~~ at midnight on the last day of the  
24 registration or extended registration period. A vehicle shall  
25 not be operated on the roads of this state after expiration of  
26 the renewal period unless the registration has been renewed  
27 according to law.

28 (2) Registration shall be renewed semiannually,  
29 annually, or biennially, as provided in this subsection,  
30 during the applicable renewal period, upon payment of the  
31 applicable license tax amounts ~~amount~~ required by s. 320.08,

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1 service charges required by s. 320.04, and any additional fees  
 2 required by law.

3 (a) However, Any person who owns ~~owning~~ a motor  
 4 vehicle registered under s. 320.08(4), (6)(b), or (13) may  
 5 register semiannually as provided in s. 320.0705.

6 (b) Any person who owns a motor vehicle or mobile home  
 7 registered under s. 320.08(1), (2), (3), (4)(a) or (b), (6),  
 8 (7), (8), (9), (10), or (11) may renew the vehicle  
 9 registration biennially during the applicable renewal period  
 10 upon payment of the 2-year cumulative total of all applicable  
 11 license tax amounts required by s. 320.08 and service charges  
 12 or surcharges required by ss. 320.03, 320.04, 320.0801,  
 13 320.08015, 320.0802, 320.0804, 320.0805, 320.08046, and  
 14 320.08056 and payment of the 2-year cumulative total of any  
 15 additional fees required by law for an annual registration.

16 (3) The operation of any motor vehicle without having  
 17 an attached ~~thereto a~~ registration license plate and  
 18 validation stickers, or the use of any mobile home without  
 19 having an attached ~~thereto a~~ mobile home sticker, for the  
 20 current registration period shall subject the owner ~~thereof~~,  
 21 if he or she is present, or, if the owner is not present, the  
 22 operator ~~thereof~~ to the following penalty provisions:

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

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

31 (c) Any person whose motor vehicle or mobile home

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1 registration has been expired for more than 6 months, ~~shall~~  
 2 upon a second or subsequent offense, commits ~~be guilty of~~ a  
 3 misdemeanor of the second degree, punishable as provided in s.  
 4 775.082 or s. 775.083.

5 (d) An ~~However, no~~ operator shall not be charged with  
 6 a violation of this subsection if the operator can show,  
 7 pursuant to a valid lease agreement, that the vehicle had been  
 8 leased for a period of 30 days or less at the time of the  
 9 offense.

10 (e) A ~~Any~~ servicemember, as defined in s. 250.01,  
 11 whose mobile home registration ~~has~~ expired while he or she was  
 12 serving on active duty or state active duty shall not be  
 13 charged with a violation of this subsection if, at the time of  
 14 the offense, the servicemember was serving on active duty or  
 15 state active duty 35 miles or more from the mobile home. The  
 16 servicemember must present to the department either a copy of  
 17 the official military orders or a written verification signed  
 18 by the servicemember's commanding officer to receive a waiver  
 19 of ~~waive~~ charges.

20 (f) The owner of a leased motor vehicle is not  
 21 responsible for any penalty specified in this subsection if  
 22 the motor vehicle is registered in the name of the lessee of  
 23 the motor vehicle.

24 (4)(a) In addition to a penalty provided in subsection  
 25 (3), a delinquent fee based on the following schedule of  
 26 license taxes shall be imposed on any applicant who fails to  
 27 renew a registration prior to the end of the month in which  
 28 renewal registration is due. The delinquent fee shall be  
 29 applied beginning on the 11th calendar day of the month  
 30 succeeding the renewal period. The delinquent fee does ~~shall~~  
 31 not apply to those vehicles that ~~which~~ have not been required

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1 to be registered during the preceding registration period or  
2 as provided in s. 320.18(2). The delinquent fee shall be  
3 imposed as follows:

4 1. License tax of \$5 but not more than \$25: \$5 flat.

5 2. License tax over \$25 but not more than \$50: \$10  
6 flat.

7 3. License tax over \$50 but not more than \$100: \$15  
8 flat.

9 4. License tax over \$100 but not more than \$400: \$50  
10 flat.

11 5. License tax over \$400 but not more than \$600: \$100  
12 flat.

13 6. License tax over \$600 and up: \$250 flat.

14 (b) A person who has been assessed a penalty pursuant  
15 to s. 316.545(2)(b) for failure to have a valid vehicle  
16 registration certificate is not subject to the delinquent fee  
17 authorized by this subsection if such person obtains a valid  
18 registration certificate within 10 working days after such  
19 penalty was assessed. The official receipt authorized by s.  
20 316.545(6) constitutes proof of payment of the penalty  
21 authorized in s. 316.545(2)(b).

22 (c) The owner of a leased motor vehicle is not  
23 responsible for any delinquent fee specified in this  
24 subsection if the motor vehicle is registered in the name of  
25 the lessee of the motor vehicle.

26 (5) Any servicemember, as defined in s. 250.01, whose  
27 motor vehicle or mobile home registration has expired while he  
28 or she was serving on active duty or state active duty ~~may~~  
29 ~~shall be able to~~ renew his or her registration upon return  
30 from active duty or state active duty without penalty, if the  
31 servicemember served on active duty or state active duty 35



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1 miles or more from the servicemember's home of record prior to  
 2 entering active duty or state active duty. The servicemember  
 3 must provide to the department either a copy of the official  
 4 military orders or a written verification signed by the  
 5 servicemember's commanding officer to receive a waiver of  
 6 ~~waive~~ delinquent fees.

7 (6) Delinquent fees imposed under this section are  
 8 ~~shall not be~~ apportionable under the International  
 9 Registration Plan.

10 Section 5. Paragraph (a) of subsection (1) of section  
 11 320.071, Florida Statutes, is amended to read:

12 320.071 Advance registration renewal; procedures.--

13 (1)(a) The owner of any motor vehicle or mobile home  
 14 currently registered in this state may file an application for  
 15 renewal of registration with the department, or its authorized  
 16 agent in the county wherein the owner resides, any time during  
 17 the 3 months preceding the date of expiration of the  
 18 registration period. The registration period may not exceed 27  
 19 months.

20 Section 6. Section 320.203, Florida Statutes, is  
 21 created to read:

22 320.203 Disposition of biennial license tax moneys.--

23 (1) Notwithstanding ss. 320.08(1), (2), (3), (4)(a) or  
 24 (b), (6), (7), (8), (9), (10), or (11), 320.08058, and 328.76  
 25 and pursuant to s. 216.351, after the provisions of s.  
 26 320.20(1), (2), (3), and (4) are fulfilled, an amount equal to  
 27 50 percent of revenues collected from the biennial  
 28 registrations created in s. 320.07 shall be retained in the  
 29 Motor Vehicle License Clearing Trust Fund, authorized in s.  
 30 215.32(2)(b)2.f., until July 1 of the following fiscal year  
 31 and then accounted for as revenue for that fiscal year derived

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1 from use fees, vessel registrations, and the licensing of  
2 motor vehicles.

3 (2) A tax collector may escrow an amount necessary to  
4 annualize revenues collected from the biennial registration  
5 service charges, branch charges, or tax collector fees created  
6 in s. 320.07 until October 1 of the following fiscal year and  
7 then account for that amount as revenue for that fiscal year.

8 Section 7. Subsections (1), (3), (9), and (12) of  
9 section 328.72, Florida Statutes, are amended to read:

10 328.72 Classification; registration; fees and charges;  
11 surcharge; disposition of fees; fines; marine turtle  
12 stickers.--

13 (1) VESSEL REGISTRATION FEE.--Vessels that are  
14 required to be registered shall be classified for registration  
15 purposes according to the following schedule, and the  
16 registration certificate fee shall be in the following  
17 amounts:

18 Class A-1--Less than 12 feet in length, and all canoes  
19 to which propulsion motors have been attached, regardless of  
20 length....\$3.50 for each 12-month period registered.

21 Class A-2--12 feet or more and less than 16 feet in  
22 length....10.50 for each 12-month period registered.

23 (To county)...2.85 for each 12-month period registered.

24 Class 1--16 feet or more and less than 26 feet in  
25 length....18.50 for each 12-month period registered.

26 (To county)....8.85 for each 12-month period  
27 registered.

28 Class 2--26 feet or more and less than 40 feet in  
29 length....50.50 for each 12-month period registered.

30 (To county)....32.85 for each 12-month period  
31 registered.

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1           Class 3--40 feet or more and less than 65 feet in  
2 length....82.50 for each 12-month period registered.

3           (To county)....56.85 for each 12-month period  
4 registered.

5           Class 4--65 feet or more and less than 110 feet in  
6 length....98.50 for each 12-month period registered.

7           (To county)....68.85 for each 12-month period  
8 registered.

9           Class 5--110 feet or more in length....122.50 for each  
10 12-month period registered.

11           (To county)....86.85 for each 12-month period  
12 registered.

13           Dealer registration certificate ....16.50 for each  
14 12-month period registered.

15

16 The county portion of the vessel registration fee is derived  
17 from recreational vessels only.

18           (3) ALIEN OR NONRESIDENT LICENSE FEE.--An additional  
19 license fee of \$50 for each 12-month period registered shall  
20 be required of all aliens or nonresidents of the state on all  
21 vessels not subject to a specific reciprocal agreement with  
22 another state, which vessels are used for commercial purposes  
23 and owned in whole or in part by such aliens or nonresidents.  
24 Such fee shall be in addition to the vessel registration fee  
25 required by this section.

26           (9) SURCHARGE.--In addition, there is hereby levied  
27 and imposed on each vessel registration fee imposed under  
28 subsection (1) a surcharge in the amount of \$1 for each  
29 12-month period of registration, which shall be collected in  
30 the same manner as the fee and deposited into the State Agency  
31 Law Enforcement Radio System Trust Fund of the Department of

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1 Management Services.

2 (12) REGISTRATION.--

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

5 (b) Any vessel owner who is subject to registration  
6 under subparagraph (c)1. is eligible for an extended  
7 registration period that begins the first day of the birth  
8 month of the owner and ends the last day of the month  
9 immediately preceding the owner's birth month 24 months after  
10 the beginning of the registration period. If the vessel is  
11 registered in the name of more than one person, the birth  
12 month of the person whose name first appears on the  
13 registration shall be used to determine the extended  
14 registration period. For a vessel subject to this extended  
15 registration period, the renewal period is the 30-day period  
16 ending at midnight on the vessel owner's date of birth.

17 ~~"Renewal period" is a period of 30 days during which renewal~~  
18 ~~of a vessel registration is required, except as otherwise~~  
19 ~~provided by law.~~

20 (c) The following registration periods and renewal  
21 periods are established:

22 1. For vessels owned by individuals, the registration  
23 period begins the first day of the birth month of the owner  
24 and ends the last day of the month immediately preceding the  
25 owner's birth month in the succeeding year. If the vessel is  
26 registered in the name of more than one person, the birth  
27 month of the person whose name first appears on the  
28 registration shall be used to determine the registration  
29 period. For a vessel subject to this registration period, the  
30 renewal period is the 30-day period ending at midnight on the  
31 vessel owner's date of birth.

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

6           Section 8. This act shall take effect January 1, 2008.

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9 ===== T I T L E   A M E N D M E N T =====

10 And the title is amended as follows:

11           Delete everything before the enacting clause

12

13 and insert:

14                                   A bill to be entitled  
 15           An act relating to motor vehicle, mobile home,  
 16           and vessel registration; amending s. 320.01,  
 17           F.S.; redefining the term "registration  
 18           period"; defining the term "extended  
 19           registration period"; amending s. 320.055,  
 20           F.S.; establishing an extended registration  
 21           period and renewal period for certain motor  
 22           vehicles and mobile homes; amending s. 320.06,  
 23           F.S.; extending the time period and revising  
 24           the fee for replacement of registration license  
 25           plates; providing for staggered implementation;  
 26           extending the period of validity of license  
 27           plates and validation stickers to provide for  
 28           an extended registration period; amending s.  
 29           320.07, F.S.; providing for the semiannual,  
 30           annual, or biennial renewal of motor vehicle  
 31           and mobile home registrations; authorizing the

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1 biennial renewal of certain motor vehicle and  
2 mobile home registrations upon payment of the  
3 cumulative total of license taxes, service  
4 charges, surcharges, and other fees; amending  
5 s. 320.071, F.S.; specifying that the  
6 registration period for a motor vehicle or  
7 mobile home may not exceed a specified number  
8 of months; creating s. 320.203, F.S.; providing  
9 for the disposition of biennial registration  
10 revenues; amending s. 328.72, F.S.; providing  
11 for an extended registration period for certain  
12 vessel owners; providing an effective date.

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