

By Senator Bennett

21-459-07

See HB

1 A bill to be entitled

2 An act relating to motor vehicle, mobile home,

3 and vessel registration; amending s. 320.01,

4 F.S.; redefining the term "registration

5 period"; defining the term "extended

6 registration period"; amending s. 320.055,

7 F.S.; establishing an extended registration

8 period and renewal period for certain motor

9 vehicles and mobile homes; amending s. 320.06,

10 F.S.; extending the time period and revising

11 the fee for replacement of registration license

12 plates; extending the period of validity of

13 license plates and validation stickers to

14 provide for an extended registration period;

15 amending s. 320.07, F.S.; providing for the

16 semiannual, annual, or biennial renewal of

17 motor vehicle and mobile home registrations;

18 authorizing the biennial renewal of certain

19 motor vehicle and mobile home registrations

20 upon payment of the cumulative total of license

21 taxes, service charges, surcharges, and other

22 fees; amending s. 320.071, F.S.; specifying

23 that the registration period for a motor

24 vehicle or mobile home may not exceed a

25 specified number of months; amending s. 328.72,

26 F.S.; providing for an extended registration

27 period for certain vessel owners; providing for

28 the refund of certain registration fees;

29 directing the Department of Highway Safety and

30 Motor Vehicles to adopt certain rules;

31 providing an effective date.

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

2

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

5 320.01 Definitions, general.--As used in the Florida
6 Statutes, except as otherwise provided, the term:

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

10 (b) "Extended registration period" means a period of
11 24 months during which a motor vehicle or mobile home
12 registration is valid.

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

15 320.055 Registration periods; renewal periods.--The
16 following registration periods and renewal periods are
17 established:

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

30 (b) A motor vehicle or mobile home that is subject to
31 registration under s. 320.08(1), (2), (3), (4)(a) or (b), (6),

1 (7), (8), (9), (10), or (11) is eligible for an extended
2 registration period as defined in s. 320.01(19)(b).

3 ~~(c)(b)~~ Notwithstanding the requirements of paragraph
4 (a), the owner of a motor vehicle subject to paragraph (a) who
5 has had his or her driver's license suspended pursuant to a
6 violation of s. 316.193 or pursuant to s. 322.26(2) for
7 driving under the influence must obtain a 6-month registration
8 as a condition of reinstating the license, subject to renewal
9 during the 3-year period that financial responsibility
10 requirements apply. The registration period begins the first
11 day of the birth month of the owner and ends the last day of
12 the fifth month immediately following the owner's birth month.
13 For such vehicles, the department shall issue a vehicle
14 registration certificate that is valid for 6 months and shall
15 issue a validation sticker that displays an expiration date of
16 6 months after the date of issuance. The license tax required
17 by s. 320.08 and all other applicable license taxes shall be
18 one-half of the amount otherwise required, except the service
19 charge required by s. 320.04 shall be paid in full for each
20 6-month registration. A vehicle required to be registered
21 under this paragraph is not eligible for the extended
22 registration period under paragraph (b).

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

25 320.06 Registration certificates, license plates, and
26 validation stickers generally.--

27 (1)

28 (b) Registration license plates bearing a graphic
29 symbol and the alphanumeric system of identification shall be
30 issued for a 6-year ~~5-year~~ period. At the end of that 6-year
31 ~~said 5-year~~ period, upon renewal, the plate shall be replaced.

1 The fee for such replacement ~~is \$12 shall be \$10~~, \$2 of which
2 shall be paid each year before the plate is replaced, to be
3 credited towards the next ~~\$12~~\$10 replacement fee. The fees
4 shall be deposited into the Highway Safety Operating Trust
5 Fund. A credit or refund shall not be given for any prior
6 years' payments of such prorated replacement fee ~~if when~~
7 plate is replaced or surrendered before the end of the 6-year
8 ~~5-year~~ period, except that a credit may be given when a
9 registrant is required by the department to replace a license
10 plate under s. 320.08056(8)(a). With each license plate, there
11 shall be issued a validation sticker showing the owner's birth
12 month, license plate number, and the year of expiration or the
13 appropriate renewal period if the owner is not a natural
14 person. The validation sticker ~~shall is to~~ be placed on the
15 upper right corner of the license plate. Such license plate
16 and validation sticker shall be issued based on the
17 applicant's appropriate renewal period. The registration
18 period ~~is shall be~~ a period of 12 months, the extended
19 registration period is a period of 24 months, and all
20 expirations shall occur based on the applicant's appropriate
21 registration period. A vehicle with an apportioned
22 registration shall be issued an annual license plate and a cab
23 card that denote the declared gross vehicle weight for each
24 apportioned jurisdiction in which the vehicle is authorized to
25 operate.

26 (c) Registration license plates equipped with
27 validation stickers subject to the registration period are
28 ~~shall be~~ valid for not more than 12 months and ~~shall~~ expire at
29 midnight on the last day of the registration period. A
30 registration license plate equipped with a validation sticker
31 subject to the extended registration period is valid for not

1 more than 24 months and expires at midnight on the last day of
2 the extended registration period. For each registration period
3 after the one in which the metal registration license plate is
4 issued, and until the license plate is required to be
5 replaced, a validation sticker showing the month and year of
6 expiration shall be issued upon payment of the proper license
7 tax amount and fees and ~~is shall be~~ valid for not more than 12
8 months. For each extended registration period occurring after
9 the one in which the metal registration license plate is
10 issued and until the license plate is required to be replaced,
11 a validation sticker showing the year of expiration shall be
12 issued upon payment of the proper license tax amount and fees
13 and is valid for not more than 24 months. When license plates
14 equipped with validation stickers are issued in any month
15 other than the owner's birth month or the designated
16 registration period for any other motor vehicle, the effective
17 date shall reflect the birth month or month and the year of
18 renewal. However, when a license plate or validation sticker
19 is issued for a period of less than 12 months, the applicant
20 shall pay the appropriate amount of license tax and the
21 applicable fee under ~~the provisions of~~ s. 320.14 in addition
22 to all other fees. Validation stickers issued for vehicles
23 taxed under ~~the provisions of~~ s. 320.08(6)(a), for any company
24 that which owns 250 vehicles or more, or for semitrailers
25 taxed under the provisions of s. 320.08(5)(a), for any company
26 that which owns 50 vehicles or more, may be placed on any
27 vehicle in the fleet so long as the vehicle receiving the
28 validation sticker has the same owner's name and address as
29 the vehicle to which the validation sticker was originally
30 assigned.
31

1 Section 4. Section 320.07, Florida Statutes, is
2 amended to read:

3 320.07 Expiration of registration; ~~annual~~ renewal
4 required; penalties.--

5 (1) The registration of a motor vehicle or mobile home
6 ~~expires shall expire~~ at midnight on the last day of the
7 registration or extended registration period. A vehicle shall
8 not be operated on the roads of this state after expiration of
9 the renewal period unless the registration has been renewed
10 according to law.

11 (2) Registration shall be renewed semiannually,
12 annually, or biennially, as provided in this subsection,
13 during the applicable renewal period, upon payment of the
14 applicable license tax amounts ~~amount~~ required by s. 320.08,
15 service charges required by s. 320.04, and any additional fees
16 required by law.

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

20 (b) Any person who owns a motor vehicle or mobile home
21 registered under s. 320.08(1), (2), (3), (4)(a) or (b), (6),
22 (7), (8), (9), (10), or (11) may renew the vehicle
23 registration biennially during the applicable renewal period
24 upon payment of the 2-year cumulative total of all applicable
25 license tax amounts required by s. 320.08 and service charges
26 or surcharges required by ss. 320.03, 320.04, 320.0801,
27 320.08015, 320.0802, 320.0804, and 320.08046 and payment of
28 the 2-year cumulative total of any additional fees required by
29 law for an annual registration.

30 (3) The operation of any motor vehicle without having
31 attached thereto a registration license plate and validation

1 stickers, or the use of any mobile home without having
2 attached thereto a mobile home sticker, for the current
3 registration period shall subject the owner thereof , if he or
4 she is present, or, if the owner is not present, the operator
5 thereof to the following penalty provisions:

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

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

14 (c) Any person whose motor vehicle or mobile home
15 registration has been expired for more than 6 months, ~~shall~~
16 upon a second or subsequent offense, commits ~~be guilty of~~ a
17 misdemeanor of the second degree, punishable as provided in s.
18 775.082 or s. 775.083.

19 (d) However, an ~~no~~ operator shall not be charged with
20 a violation of this subsection if the operator can show,
21 pursuant to a valid lease agreement, that the vehicle had been
22 leased for a period of 30 days or less at the time of the
23 offense.

24 (e) Any servicemember, as defined in s. 250.01, whose
25 mobile home registration ~~has~~ expired while he or she was
26 serving on active duty or state active duty shall not be
27 charged with a violation of this subsection if, at the time of
28 the offense, the servicemember was serving on active duty or
29 state active duty 35 miles or more from the mobile home. The
30 servicemember must present to the department either a copy of
31 the official military orders or a written verification signed

1 by the servicemember's commanding officer to receive a waiver
2 of waive charges.

3 (f) The owner of a leased motor vehicle is not
4 responsible for any penalty specified in this subsection if
5 the motor vehicle is registered in the name of the lessee of
6 the motor vehicle.

7 (4)(a) In addition to a penalty provided in subsection
8 (3), a delinquent fee based on the following schedule of
9 license taxes shall be imposed on any applicant who fails to
10 renew a registration prior to the end of the month in which
11 renewal registration is due. The delinquent fee shall be
12 applied beginning on the 11th calendar day of the month
13 succeeding the renewal period. The delinquent fee does shall
14 not apply to those vehicles that which have not been required
15 to be registered during the preceding registration period or
16 as provided in s. 320.18(2). The delinquent fee shall be
17 imposed as follows:

- 18 1. License tax of \$5 but not more than \$25: \$5 flat.
- 19 2. License tax over \$25 but not more than \$50: \$10
20 flat.
- 21 3. License tax over \$50 but not more than \$100: \$15
22 flat.
- 23 4. License tax over \$100 but not more than \$400: \$50
24 flat.
- 25 5. License tax over \$400 but not more than \$600: \$100
26 flat.
- 27 6. License tax over \$600 and up: \$250 flat.

28 (b) A person who has been assessed a penalty pursuant
29 to s. 316.545(2)(b) for failure to have a valid vehicle
30 registration certificate is not subject to the delinquent fee
31 authorized by this subsection if such person obtains a valid

1 registration certificate within 10 working days after such
2 penalty was assessed. The official receipt authorized by s.
3 316.545(6) constitutes proof of payment of the penalty
4 authorized in s. 316.545(2)(b).

5 (c) The owner of a leased motor vehicle is not
6 responsible for any delinquent fee specified in this
7 subsection if the motor vehicle is registered in the name of
8 the lessee of the motor vehicle.

9 (5) Any servicemember, as defined in s. 250.01, whose
10 motor vehicle or mobile home registration has expired while he
11 or she was serving on active duty or state active duty may
12 ~~shall be able to~~ renew his or her registration upon return
13 from active duty or state active duty without penalty, if the
14 servicemember served on active duty or state active duty 35
15 miles or more from the servicemember's home of record prior to
16 entering active duty or state active duty. The servicemember
17 must provide to the department either a copy of the official
18 military orders or a written verification signed by the
19 servicemember's commanding officer to receive a waiver of
20 ~~waive~~ delinquent fees.

21 (6) Delinquent fees imposed under this section are
22 ~~shall not be~~ apportionable under the International
23 Registration Plan.

24 Section 5. Paragraph (a) of subsection (1) of section
25 320.071, Florida Statutes, is amended to read:

26 320.071 Advance registration renewal; procedures.--

27 (1)(a) The owner of any motor vehicle or mobile home
28 currently registered in this state may file an application for
29 renewal of registration with the department, or its authorized
30 agent in the county wherein the owner resides, any time during
31 the 3 months preceding the date of expiration of the

1 registration period. The registration period may not exceed 27
2 months.

3 Section 6. Subsections (1), (3), (4), (9), (12), and
4 (17) of section 328.72, Florida Statutes, are amended to read:

5 328.72 Classification; registration; fees and charges;
6 surcharge; disposition of fees; fines; marine turtle
7 stickers.--

8 (1) VESSEL REGISTRATION FEE.--Vessels that are
9 required to be registered shall be classified for registration
10 purposes according to the following schedule, and the
11 registration certificate fee shall be in the following
12 amounts:

13 Class A-1--Less than 12 feet in length, and all canoes
14 to which propulsion motors have been attached, regardless of
15 length.....\$3.50 for each
16 12-month period registered.

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

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

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

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

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

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

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

1 (To county).....56.85 for each 12-month period registered.
2 Class 4--65 feet or more and less than 110 feet in
3 length.....98.50
4 for each 12-month period registered.
5 (To county).....68.85 for each 12-month period registered.
6 Class 5--110 feet or more in length.....122.50
7 for each 12-month period registered.
8 (To county).....86.85 for each 12-month period registered.
9 Dealer registration certificate.....16.50
10 for each 12-month period registered.

11
12 The county portion of the vessel registration fee is derived
13 from recreational vessels only.

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

22 (4) TRANSFER OF OWNERSHIP; REFUND OF REGISTRATION
23 FEE.--

24 (a)1. When the ownership of a registered vessel
25 changes, an application for transfer of registration shall be
26 filed with the county tax collector by the new owner within 30
27 days with a fee of \$3.25. The county tax collector shall
28 retain \$2.25 of the fee and shall remit \$1 to the department.
29 ~~A refund may not be made for any unused portion of a~~
30 ~~registration period.~~

31

1 ~~2.(b)~~ If a vessel is an antique as defined in
2 subsection (2), the application shall be accompanied by either
3 a certificate of title, a bill of sale and a registration, or
4 a bill of sale and an affidavit by the owner defending the
5 title from all claims. The bill of sale must contain a
6 complete vessel description to include the hull identification
7 number and engine number, if appropriate; the year, make, and
8 color of the vessel; the selling price; and the signatures of
9 the seller and purchaser.

10 (b) Upon transfer or cancellation of a vessel
11 registration, there shall be no refund for any unused portion
12 of a registration period of less than 12 months. If the
13 remaining period of registration is more than 12 months, the
14 registered owner may, upon application, receive a refund of
15 the 12-month fee for registration.

16 (9) SURCHARGE.--In addition, there is hereby levied
17 and imposed on each vessel registration fee imposed under
18 subsection (1) a surcharge in the amount of \$1 for each
19 12-month period of registration, which shall be collected in
20 the same manner as the fee and deposited into the State Agency
21 Law Enforcement Radio System Trust Fund of the Department of
22 Management Services.

23 (12) REGISTRATION.--

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

26 (b) Any vessel owner who is subject to registration
27 under subparagraph (c)1. is eligible for an extended
28 registration period that begins the first day of the birth
29 month of the owner and ends the last day of the month
30 immediately preceding the owner's birth month 24 months after
31 the beginning of the registration period. If the vessel is

1 registered in the name of more than one person, the birth
2 month of the person whose name first appears on the
3 registration shall be used to determine the extended
4 registration period. For a vessel subject to this extended
5 registration period, the renewal period is the 30-day period
6 ending at midnight on the vessel owner's date of birth.

7 ~~"Renewal period" is a period of 30 days during which renewal~~
8 ~~of a vessel registration is required, except as otherwise~~
9 ~~provided by law.~~

10 (c) The following registration periods and renewal
11 periods are established:

12 1. For vessels owned by individuals, the registration
13 period begins the first day of the birth month of the owner
14 and ends the last day of the month immediately preceding the
15 owner's birth month in the succeeding year. If the vessel is
16 registered in the name of more than one person, the birth
17 month of the person whose name first appears on the
18 registration shall be used to determine the registration
19 period. For a vessel subject to this registration period, the
20 renewal period is the 30-day period ending at midnight on the
21 vessel owner's date of birth.

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

27 (17) RULES, FORMS, AND NOTICES.--

28 (a) The Department of Highway Safety and Motor
29 Vehicles shall prescribe and provide suitable forms for
30 applications and other notices and forms necessary to
31 administer the provisions of this chapter.

1 (b) The Department of Highway Safety and Motor
2 Vehicles shall adopt rules governing the processing of
3 applications for and payments of refunds authorized under
4 subsection (4).

5 Section 7. This act shall take effect January 1, 2008.
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