



162508

LEGISLATIVE ACTION

Senate

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House

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Floor: WD/2R

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04/22/2009 10:09 AM

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Senator Bennett moved the following:

Senate Amendment (with title amendment)

Delete lines 600 - 601
and insert:

Section 15. Subsection (86) is added to section 316.003,
Florida Statutes, to read:

316.003 Definitions.—The following words and phrases, when
used in this chapter, shall have the meanings respectively
ascribed to them in this section, except where the context
otherwise requires:

(86) TRI-VEHICLE.—An enclosed three-wheeled passenger
vehicle that is designed to operate with three wheels in contact



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13 with the ground; has a minimum unladen weight of 900 pounds; has
14 a single, completely enclosed occupant compartment; is produced
15 by its manufacturer in a minimum quantity of 300 in any calendar
16 year; and is equipped with:

17 (a) Seats certified by the vehicle manufacturer to meet the
18 requirements of Federal Motor Vehicle Safety Standard No. 207,
19 "Seating systems," as described in 49 C.F.R. s. 571.207.

20 (b) A steering wheel used to maneuver the vehicle.

21 (c) A propulsion unit located forward or aft of the
22 enclosed occupant compartment.

23 (d) A seat belt for each vehicle occupant which is
24 certified to meet the requirements of Federal Motor Vehicle
25 Safety Standard No. 209, "Seat belt assemblies," as described in
26 49 C.F.R. s. 571.209.

27 (e) A windshield and appropriate windshield wiper and
28 washer system certified by the vehicle manufacturer to meet the
29 requirements of Federal Motor Vehicle Safety Standard No. 205,
30 "Glazing materials," as described in 49 C.F.R. s. 571.205 and
31 Federal Motor Vehicle Safety Standard No. 104, "Windshield
32 wiping and washing systems," as described in 49 C.F.R. s.
33 571.104.

34 (f) A vehicle structure certified by the vehicle
35 manufacturer to meet the requirements of Federal Motor Vehicle
36 Safety Standard No. 216, "Rollover crush resistance," as
37 described in 49 C.F.R. s. 571.216.

38 Section 16. Paragraph (b) of subsection (1) of section
39 316.0741, Florida Statutes, is amended to read:

40 316.0741 High-occupancy-vehicle lanes.-

41 (1) As used in this section, the term:



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42 (b) "Hybrid vehicle" means a motor vehicle:

43 1. That draws propulsion energy from onboard sources of
44 stored energy which are both an internal combustion or heat
45 engine using combustible fuel and a rechargeable energy-storage
46 system; and

47 2. That, in the case of a passenger automobile or light
48 truck, has received a certificate of conformity under the Clean
49 Air Act, 42 U.S.C. ss. 7401 et seq., and meets or exceeds the
50 equivalent qualifying California standards for a low-emission
51 vehicle.

52 3. That, in the case of a tri-vehicle, is an inherently
53 low-emission vehicle (ILEV) in accordance with paragraph (4).

54 Section 17. Section 320.08, Florida Statutes, is amended to
55 read:

56 320.08 License taxes.—Except as otherwise provided herein,
57 there are hereby levied and imposed annual license taxes for the
58 operation of motor vehicles, mopeds, motorized bicycles as
59 defined in s. 316.003(2), tri-vehicles, and mobile homes, as
60 defined in s. 320.01, which shall be paid to and collected by
61 the department or its agent upon the registration or renewal of
62 registration of the following:

63 (1) MOTORCYCLES AND MOPEDS.—

64 (a) Any motorcycle: \$10 flat.

65 (b) Any moped: \$5 flat.

66 (c) Upon registration of any motorcycle, motor-driven
67 cycle, or moped there shall be paid in addition to the license
68 taxes specified in this subsection a nonrefundable motorcycle
69 safety education fee in the amount of \$2.50. The proceeds of
70 such additional fee shall be deposited in the Highway Safety



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71 Operating Trust Fund to fund a motorcycle driver improvement
72 program implemented pursuant to s. 322.025, the Florida
73 Motorcycle Safety Education Program established in s. 322.0255,
74 or the general operations of the department.

75 (d) An ancient or antique motorcycle: \$10 flat.

76 (2) AUTOMOBILES OR TRI-VEHICLES FOR PRIVATE USE.—

77 (a) An ancient or antique automobile, as defined in s.
78 320.086, or a street rod, as defined in s. 320.0863: \$7.50 flat.

79 (b) Net weight of less than 2,500 pounds: \$14.50 flat.

80 (c) Net weight of 2,500 pounds or more, but less than 3,500
81 pounds: \$22.50 flat.

82 (d) Net weight of 3,500 pounds or more: \$32.50 flat.

83 (3) TRUCKS.—

84 (a) Net weight of less than 2,000 pounds: \$14.50 flat.

85 (b) Net weight of 2,000 pounds or more, but not more than
86 3,000 pounds: \$22.50 flat.

87 (c) Net weight more than 3,000 pounds, but not more than
88 5,000 pounds: \$32.50 flat.

89 (d) A truck defined as a "goat," or any other vehicle when
90 used in the field by a farmer or in the woods for the purpose of
91 harvesting a crop, including naval stores, during such
92 harvesting operations, and which is not principally operated
93 upon the roads of the state: \$7.50 flat. A "goat" is a motor
94 vehicle designed, constructed, and used principally for the
95 transportation of citrus fruit within citrus groves or for the
96 transportation of crops on farms, and which can also be used for
97 the hauling of associated equipment or supplies, including
98 required sanitary equipment, and the towing of farm trailers.

99 (e) An ancient or antique truck, as defined in s. 320.086:



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100 \$7.50 flat.

101 (4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS
102 VEHICLE WEIGHT.—

103 (a) Gross vehicle weight of 5,001 pounds or more, but less
104 than 6,000 pounds: \$45 flat.

105 (b) Gross vehicle weight of 6,000 pounds or more, but less
106 than 8,000 pounds: \$65 flat.

107 (c) Gross vehicle weight of 8,000 pounds or more, but less
108 than 10,000 pounds: \$76 flat.

109 (d) Gross vehicle weight of 10,000 pounds or more, but less
110 than 15,000 pounds: \$87 flat.

111 (e) Gross vehicle weight of 15,000 pounds or more, but less
112 than 20,000 pounds: \$131 flat.

113 (f) Gross vehicle weight of 20,000 pounds or more, but less
114 than 26,001 pounds: \$186 flat.

115 (g) Gross vehicle weight of 26,001 pounds or more, but less
116 than 35,000: \$240 flat.

117 (h) Gross vehicle weight of 35,000 pounds or more, but less
118 than 44,000 pounds: \$300 flat.

119 (i) Gross vehicle weight of 44,000 pounds or more, but less
120 than 55,000 pounds: \$572 flat.

121 (j) Gross vehicle weight of 55,000 pounds or more, but less
122 than 62,000 pounds: \$678 flat.

123 (k) Gross vehicle weight of 62,000 pounds or more, but less
124 than 72,000 pounds: \$800 flat.

125 (l) Gross vehicle weight of 72,000 pounds or more: \$979
126 flat.

127 (m) Notwithstanding the declared gross vehicle weight, a
128 truck tractor used within a 150-mile radius of its home address



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129 shall be eligible for a license plate for a fee of \$240 flat if:

130 1. The truck tractor is used exclusively for hauling
131 forestry products; or

132 2. The truck tractor is used primarily for the hauling of
133 forestry products, and is also used for the hauling of
134 associated forestry harvesting equipment used by the owner of
135 the truck tractor.

136 (n) A truck tractor or heavy truck, not operated as a for-
137 hire vehicle, which is engaged exclusively in transporting raw,
138 unprocessed, and nonmanufactured agricultural or horticultural
139 products within a 150-mile radius of its home address, shall be
140 eligible for a restricted license plate for a fee of \$65 flat,
141 if such vehicle's declared gross vehicle weight is less than
142 44,000 pounds; or \$240 flat, if such vehicle's declared gross
143 vehicle weight is 44,000 pounds or more and such vehicle only
144 transports:

145 1. From the point of production to the point of primary
146 manufacture;

147 2. From the point of production to the point of assembling
148 the same; or

149 3. From the point of production to a shipping point of
150 either a rail, water, or motor transportation company.

151
152 Such not-for-hire truck tractors and heavy trucks used
153 exclusively in transporting raw, unprocessed, and
154 nonmanufactured agricultural or horticultural products may be
155 incidentally used to haul farm implements and fertilizers when
156 delivered direct to the growers. The department may require any
157 such documentation deemed necessary to determine eligibility



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158 prior to issuance of this license plate. For the purpose of this
159 paragraph, "not-for-hire" means the owner of the motor vehicle
160 must also be the owner of the raw, unprocessed, and
161 nonmanufactured agricultural or horticultural product, or the
162 user of the farm implements and fertilizer being delivered.

163 (5) SEMITRAILERS, FEES ACCORDING TO GROSS VEHICLE WEIGHT;
164 SCHOOL BUSES; SPECIAL PURPOSE VEHICLES.—

165 (a)1. A semitrailer drawn by a GVW truck tractor by means
166 of a fifth-wheel arrangement: \$10 flat per registration year or
167 any part thereof.

168 2. A semitrailer drawn by a GVW truck tractor by means of a
169 fifth-wheel arrangement: \$50 flat per permanent registration.

170 (b) A motor vehicle equipped with machinery and designed
171 for the exclusive purpose of well drilling, excavation,
172 construction, spraying, or similar activity, and which is not
173 designed or used to transport loads other than the machinery
174 described above over public roads: \$32.50 flat.

175 (c) A school bus used exclusively to transport pupils to
176 and from school or school or church activities or functions
177 within their own county: \$30 flat.

178 (d) A wrecker, as defined in s. 320.01(40), which is used
179 to tow a vessel as defined in s. 327.02(39), a disabled,
180 abandoned, stolen-recovered, or impounded motor vehicle as
181 defined in s. 320.01(38), or a replacement motor vehicle as
182 defined in s. 320.01(39): \$30 flat.

183 (e) A wrecker, as defined in s. 320.01(40), which is used
184 to tow any motor vehicle, regardless of whether or not such
185 motor vehicle is a disabled motor vehicle as defined in s.
186 320.01(38), a replacement motor vehicle as defined in s.



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187 320.01(39), a vessel as defined in s. 327.02(39), or any other
188 cargo, as follows:

189 1. Gross vehicle weight of 10,000 pounds or more, but less
190 than 15,000 pounds: \$87 flat.

191 2. Gross vehicle weight of 15,000 pounds or more, but less
192 than 20,000 pounds: \$131 flat.

193 3. Gross vehicle weight of 20,000 pounds or more, but less
194 than 26,000 pounds: \$186 flat.

195 4. Gross vehicle weight of 26,000 pounds or more, but less
196 than 35,000 pounds: \$240 flat.

197 5. Gross vehicle weight of 35,000 pounds or more, but less
198 than 44,000 pounds: \$300 flat.

199 6. Gross vehicle weight of 44,000 pounds or more, but less
200 than 55,000 pounds: \$572 flat.

201 7. Gross vehicle weight of 55,000 pounds or more, but less
202 than 62,000 pounds: \$678 flat.

203 8. Gross vehicle weight of 62,000 pounds or more, but less
204 than 72,000 pounds: \$800 flat.

205 9. Gross vehicle weight of 72,000 pounds or more: \$979
206 flat.

207 (f) A hearse or ambulance: \$30 flat.

208 (6) MOTOR VEHICLES FOR HIRE.—

209 (a) Under nine passengers: \$12.50 flat plus \$1 per cwt.

210 (b) Nine passengers and over: \$12.50 flat plus \$1.50 per
211 cwt.

212 (7) TRAILERS FOR PRIVATE USE.—

213 (a) Any trailer weighing 500 pounds or less: \$5 flat per
214 year or any part thereof.

215 (b) Net weight over 500 pounds: \$2.50 flat plus 75 cents



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216 per cwt.
217 (8) TRAILERS FOR HIRE.—
218 (a) Net weight under 2,000 pounds: \$2.50 flat plus \$1 per
219 cwt.
220 (b) Net weight 2,000 pounds or more: \$10 flat plus \$1 per
221 cwt.
222 (9) RECREATIONAL VEHICLE-TYPE UNITS.—
223 (a) A travel trailer or fifth-wheel trailer, as defined by
224 s. 320.01(1)(b), that does not exceed 35 feet in length: \$20
225 flat.
226 (b) A camping trailer, as defined by s. 320.01(1)(b)2.: \$10
227 flat.
228 (c) A motor home, as defined by s. 320.01(1)(b)4.:
229 1. Net weight of less than 4,500 pounds: \$20 flat.
230 2. Net weight of 4,500 pounds or more: \$35 flat.
231 (d) A truck camper as defined by s. 320.01(1)(b)3.:
232 1. Net weight of less than 4,500 pounds: \$20 flat.
233 2. Net weight of 4,500 pounds or more: \$35 flat.
234 (e) A private motor coach as defined by s. 320.01(1)(b)5.:
235 1. Net weight of less than 4,500 pounds: \$20 flat.
236 2. Net weight of 4,500 pounds or more: \$35 flat.
237 (10) PARK TRAILERS; TRAVEL TRAILERS; FIFTH-WHEEL TRAILERS;
238 35 FEET TO 40 FEET.—
239 (a) Park trailers.—Any park trailer, as defined in s.
240 320.01(1)(b)7.: \$25 flat.
241 (b) A travel trailer or fifth-wheel trailer, as defined in
242 s. 320.01(1)(b), that exceeds 35 feet: \$25 flat.
243 (11) MOBILE HOMES.—
244 (a) A mobile home not exceeding 35 feet in length: \$20



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245 flat.

246 (b) A mobile home over 35 feet in length, but not exceeding
247 40 feet: \$25 flat.

248 (c) A mobile home over 40 feet in length, but not exceeding
249 45 feet: \$30 flat.

250 (d) A mobile home over 45 feet in length, but not exceeding
251 50 feet: \$35 flat.

252 (e) A mobile home over 50 feet in length, but not exceeding
253 55 feet: \$40 flat.

254 (f) A mobile home over 55 feet in length, but not exceeding
255 60 feet: \$45 flat.

256 (g) A mobile home over 60 feet in length, but not exceeding
257 65 feet: \$50 flat.

258 (h) A mobile home over 65 feet in length: \$80 flat.

259 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
260 motor vehicle dealer, independent motor vehicle dealer, marine
261 boat trailer dealer, or mobile home dealer and manufacturer
262 license plate: \$12.50 flat.

263 (13) EXEMPT OR OFFICIAL LICENSE PLATES.—Any exempt or
264 official license plate: \$3 flat.

265 (14) LOCALLY OPERATED MOTOR VEHICLES FOR HIRE.—A motor
266 vehicle for hire operated wholly within a city or within 25
267 miles thereof: \$12.50 flat plus \$1.50 per cwt.

268 (15) TRANSPORTER.—Any transporter license plate issued to a
269 transporter pursuant to s. 320.133: \$75 flat.

270 Section 18. Subsection (26) of section 322.01, Florida
271 Statutes, is amended, and subsection (46) is added to that
272 section, to read:

273 322.01 Definitions.—As used in this chapter:



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274 (26) "Motorcycle" means a motor vehicle powered by a motor
275 with a displacement of more than 50 cubic centimeters, having a
276 seat or saddle for the use of the rider, and designed to travel
277 on not more than three wheels in contact with the ground, but
278 excluding a tractor, ~~or~~ moped, or tri-vehicle.

279 (46) "Tri-vehicle" means an enclosed three-wheeled
280 passenger vehicle that is designed to operate with three wheels
281 in contact with the ground; has a minimum unladen weight of 900
282 pounds; has a single, completely enclosed occupant compartment;
283 is produced by its manufacturer in a minimum quantity of 300 in
284 any calendar year; and is equipped with:

285 (a) Seats certified by the vehicle manufacturer to meet the
286 requirements of Federal Motor Vehicle Safety Standard No. 207,
287 "Seating systems," as described in 49 C.F.R. s. 571.207.

288 (b) A steering wheel used to maneuver the vehicle.

289 (c) A propulsion unit located forward or aft of the
290 enclosed occupant compartment.

291 (d) A seat belt for each vehicle occupant which is
292 certified to meet the requirements of Federal Motor Vehicle
293 Safety Standard No. 209, "Seat belt assemblies," as described in
294 49 C.F.R. s. 571.209.

295 (e) A windshield and appropriate windshield wiper and
296 washer system certified by the vehicle manufacturer to meet the
297 requirements of Federal Motor Vehicle Safety Standard No. 205,
298 "Glazing materials," as described in 49 C.F.R. s. 571.205 and
299 Federal Motor Vehicle Safety Standard No. 104, "Windshield
300 wiping and washing systems," as described in 49 C.F.R. s.
301 571.104.

302 (f) A vehicle structure certified by the vehicle



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303 manufacturer to meet the requirements of Federal Motor Vehicle
304 Safety Standard No. 216, "Rollover crush resistance," as
305 described in 49 C.F.R. s. 571.216.

306 Section 19. Except as otherwise expressly provided in this
307 601 act, this act shall take effect upon becoming a law.

308
309

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

311 And the title is amended as follows:

312

313 Delete lines 61 - 62

314 and insert:

315 vehicle for certain violations; amending s. 316.003,
316 F.S.; defining the term "tri-vehicle"; amending s.
317 316.0741, F.S.; expanding the definition of "hybrid
318 vehicle" to include certain tri-vehicles; amending s.
319 320.08, F.S.; including tri-vehicles among the types
320 of vehicles upon which annual license taxes are
321 levied; amending s. 322.01, F.S.; defining the term
322 "tri-vehicle"; excluding tri-vehicles from the
323 definition of "motorcycle"; providing effective dates.