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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/17/2011	.	
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The Committee on Transportation (Latvala) recommended the following:

**Senate Amendment (with title amendment)**

Between lines 2279 and 2280  
insert:

Section 62. Subsection (3) of section 316.2085, Florida Statutes, is amended to read:

316.2085 Riding on motorcycles or mopeds.—

(3) The license tag of a motorcycle or moped must be permanently affixed to the vehicle and may not be ~~adjusted or~~ capable of being flipped up, inverted, reversed, or in any other way rendered to make the letters of the tag illegible from the rear while the vehicle is being operated. ~~No device for or~~



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13 ~~method of concealing~~ Concealing or obscuring the legibility of  
14 the license tag of a motorcycle is prohibited ~~shall be installed~~  
15 ~~or used~~. The license tag of a motorcycle or moped may be affixed  
16 horizontally or vertically to the ground so that the numbers and  
17 letters read from left to right or from top to bottom.  
18 ~~Alternatively, a license tag for a motorcycle or moped for which~~  
19 ~~the numbers and letters read from top to bottom may be affixed~~  
20 ~~perpendicularly to the ground, provided that the registered~~  
21 ~~owner of the motorcycle or moped maintains a prepaid toll~~  
22 ~~account in good standing and a transponder associated with the~~  
23 ~~prepaid toll account is affixed to the motorcycle or moped.~~

24 Section 63. Subsection (6) of section 319.23, Florida  
25 Statutes, is amended to read

26 319.23 Application for, and issuance of, certificate of  
27 title.—

28 (6) (a) In the case of the sale of a motor vehicle or mobile  
29 home by a licensed dealer to a general purchaser, the  
30 certificate of title must be obtained in the name of the  
31 purchaser by the dealer upon application signed by the  
32 purchaser, and in each other case such certificate must be  
33 obtained by the purchaser. In each case of transfer of a motor  
34 vehicle or mobile home, the application for a certificate of  
35 title, a corrected certificate, or an assignment or reassignment  
36 must be filed within 30 days after the delivery of the motor  
37 vehicle or from consummation of the sale of a mobile home to the  
38 purchaser. An applicant must pay a fee of \$20, in addition to  
39 all other fees and penalties required by law, for failing to  
40 file such application within the specified time. In the case of  
41 the sale of a motor vehicle by a licensed motor vehicle dealer



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42 to a general purchaser who resides in another state or country,  
43 the dealer is not required to apply for a certificate of title  
44 for the motor vehicle; however, the dealer must transfer  
45 ownership and reassign the certificate of title or  
46 manufacturer's certificate of origin to the purchaser, and the  
47 purchaser must sign an affidavit, as approved by the department,  
48 that the purchaser will title and register the motor vehicle in  
49 another state or country.

50 (b) If a licensed dealer acquires a motor vehicle or mobile  
51 home as a trade-in, the dealer must file with the department,  
52 within 30 days, a notice of sale signed by the seller. The  
53 department shall update its database for that title record to  
54 indicate "sold." A licensed dealer need not apply for a  
55 certificate of title for any motor vehicle or mobile home in  
56 stock acquired for stock purposes except as provided in s.  
57 319.225.

58 Section 64. Subsection (1) of section 320.01, Florida  
59 Statutes, is amended to read:

60 320.01 Definitions, general.—As used in the Florida  
61 Statutes, except as otherwise provided, the term:

62 (1) "Motor vehicle" means:

63 (a) An automobile, motorcycle, truck, trailer, semitrailer,  
64 truck tractor and semitrailer combination, or any other vehicle  
65 operated on the roads of this state, used to transport persons  
66 or property, and propelled by power other than muscular power,  
67 but the term does not include traction engines, road rollers,  
68 special mobile equipment as defined in chapter 316, such  
69 vehicles as run only upon a track, bicycles, or mopeds.

70 (b) A recreational vehicle-type unit primarily designed as



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71 temporary living quarters for recreational, camping, or travel  
72 use, which either has its own motive power or is mounted on or  
73 drawn by another vehicle. Recreational vehicle-type units, when  
74 traveling on the public roadways of this state, must comply with  
75 the length and width provisions of s. 316.515, as that section  
76 may hereafter be amended. As defined below, the basic entities  
77 are:

78 1. The "travel trailer," which is a vehicular portable  
79 unit, mounted on wheels, of such a size or weight as not to  
80 require special highway movement permits when drawn by a  
81 motorized vehicle. It is primarily designed and constructed to  
82 provide temporary living quarters for recreational, camping, or  
83 travel use. It has a body width of no more than 8 1/2 feet and  
84 an overall body length of no more than 40 feet when factory-  
85 equipped for the road.

86 2. The "camping trailer," which is a vehicular portable  
87 unit mounted on wheels and constructed with collapsible partial  
88 sidewalls which fold for towing by another vehicle and unfold at  
89 the campsite to provide temporary living quarters for  
90 recreational, camping, or travel use.

91 3. The "truck camper," which is a truck equipped with a  
92 portable unit designed to be loaded onto, or affixed to, the bed  
93 or chassis of the truck and constructed to provide temporary  
94 living quarters for recreational, camping, or travel use.

95 4. The "motor home," which is a vehicular unit which does  
96 not exceed the length, height, and width limitations provided in  
97 s. 316.515, is a self-propelled motor vehicle, and is primarily  
98 designed to provide temporary living quarters for recreational,  
99 camping, or travel use.



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100           5. The "private motor coach," which is a vehicular unit  
101 which does not exceed the length, width, and height limitations  
102 provided in s. 316.515(9), is built on a self-propelled bus type  
103 chassis having no fewer than three load-bearing axles, and is  
104 primarily designed to provide temporary living quarters for  
105 recreational, camping, or travel use.

106           6. The "van conversion," which is a vehicular unit which  
107 does not exceed the length and width limitations provided in s.  
108 316.515, is built on a self-propelled motor vehicle chassis, and  
109 is designed for recreation, camping, and travel use.

110           7. The "park trailer," which is a transportable unit which  
111 has a body width not exceeding 14 feet and which is built on a  
112 single chassis and is designed to provide seasonal or temporary  
113 living quarters when connected to utilities necessary for  
114 operation of installed fixtures and appliances. The total area  
115 of the unit in a setup mode, when measured from the exterior  
116 surface of the exterior stud walls at the level of maximum  
117 dimensions, not including any bay window, does not exceed 400  
118 square feet when constructed to ANSI A-119.5 standards, and 500  
119 square feet when constructed to United States Department of  
120 Housing and Urban Development Standards. The length of a park  
121 trailer means the distance from the exterior of the front of the  
122 body (nearest to the drawbar and coupling mechanism) to the  
123 exterior of the rear of the body (at the opposite end of the  
124 body), including any protrusions.

125           8. The "fifth-wheel trailer," which is a vehicular unit  
126 mounted on wheels, designed to provide temporary living quarters  
127 for recreational, camping, or travel use, of such size or weight  
128 as not to require a special highway movement permit, of gross



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129 trailer area not to exceed 400 square feet in the setup mode,  
130 and designed to be towed by a motorized vehicle that contains a  
131 towing mechanism that is mounted above or forward of the tow  
132 vehicle's rear axle.

133 Section 65. Section 322.1415, Florida Statutes, is created  
134 to read:

135 322.1415 Specialty driver's license and identification card  
136 program.—

137 (1) The department shall issue to any applicant qualified  
138 pursuant to s. 322.14 a specialty driver's license or  
139 identification card upon payment of the appropriate fee pursuant  
140 to s. 322.21.

141 (2) Department-approved specialty driver's licenses and  
142 identification cards shall, at a minimum, be available for state  
143 and independent universities domiciled in this state, all  
144 Florida professional sports teams designated in s.  
145 320.08058(9)(a), and all branches of the United States military.

146 (3) The design and use of each specialty driver's license  
147 and identification card must be approved by the department and  
148 the organization that is recognized by the driver's license or  
149 card.

150 Section 66. Paragraph (i) is added to subsection (1) of  
151 section 322.21, Florida Statutes, to read:

152 322.21 License fees; procedure for handling and collecting  
153 fees.—

154 (1) Except as otherwise provided herein, the fee for:

155 (i) The specialty license or identification card issued  
156 pursuant to s. 322.1415 is \$25, which is in addition to other  
157 fees required in this section. The specialty fee shall be



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158 distributed as follows:

159 1. Twenty percent shall be distributed to the appropriate  
160 state or independent university foundation, the Florida Sports  
161 Foundation, or the State Homes for Veterans Trust Fund, as  
162 designated by the purchaser, for deposit into an unrestricted  
163 account.

164 2. Eighty percent shall be distributed to the department  
165 for department costs directly related to the specialty driver's  
166 license and identification card program and to defray costs of  
167 production enhancements and distribution.

168  
169 ===== T I T L E A M E N D M E N T =====

170 And the title is amended as follows:

171 Delete line 201

172 and insert:

173 conforming a cross-reference; amending s. 316.2085, F.S.;

174 providing that license tags for mopeds and motorcycles must be

175 affixed so that the letters and numbers are legible from the

176 rear; specifying that the tags may be displayed horizontally or

177 vertically to the ground so that the numbers and letters read

178 from left to right or from top to bottom; amending s. 319.23,

179 F.S.; authorizing the application for certificate of title,

180 corrected certificate, or assignment or reassignment be filed

181 from the consummation of the sale of a mobile home; amending s.

182 320.01, F.S.; revising the definition of the term "motor

183 vehicle" to include special mobile equipment; creating s.

184 322.1415, F.S.; requiring the Department of Highway Safety and

185 Motor Vehicles to issue a specialty driver's license or

186 identification card to qualified applicants; specifying that, at



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187 a minimum, the specialty driver's licenses and identification  
188 cards must be available for certain state and independent  
189 universities and professional sports teams and all of the  
190 branches of the United States military; requiring that the  
191 design of each specialty driver's license and identification  
192 card be approved by the department; amending s. 322.21, F.S.;  
193 providing for the distribution of funds collected from the  
194 specialty driver's license and identification card fees;  
195 providing an effective  
196