

# FLORIDA HOUSE OF REPRESENTATIVES

## BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 253](#)

**TITLE:** Offenses Involving Motor Vehicles

**SPONSOR(S):** Bankson

**COMPANION BILL:** [CS/SB 44](#) (Rodriguez)

**LINKED BILLS:** None

**RELATED BILLS:** None

### Committee References

[Criminal Justice](#)

17 Y, 0 N, As CS



[Government Operations](#)

18 Y, 0 N



[Judiciary](#)

## SUMMARY

### Effect of the Bill:

CS/HB 253 makes the following changes related to motor vehicle offenses, including:

- Increasing the penalty if a person drives a vehicle with prohibited lights and stops or attempts to stop another vehicle from a first degree misdemeanor to a third degree felony.
- Prohibiting a person from purchasing or possessing a “license plate obscuring device,” a violation of which is punishable as a second degree misdemeanor.
- Prohibiting a person from manufacturing, selling, offering for sale, or otherwise distributing a “license plate obscuring device,” a violation of which is punishable as a first degree misdemeanor.
- Prohibiting a person from using a “license plate obscuring device” to assist in committing a crime or escaping from or avoiding detection or arrest in connection with such crime, punishable as a third degree felony.

### Fiscal or Economic Impact:

The bill may have an indeterminate positive impact on jail and prison beds by creating new misdemeanor and felony offenses related to license plate obscuring devices and increasing the penalty if a person drives a vehicle with prohibited lights and effects or attempts to effect the stop of another vehicle, which may result in more jail and prison admissions and offenders being sentenced to longer terms of incarceration.

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## ANALYSIS

### EFFECT OF THE BILL:

#### Operating a Vehicle with Prohibited Lights

The bill increases the penalty if a person drives a vehicle and displays a red, red and white, or blue light and effects or attempts to effect a stop of another vehicle from a first degree misdemeanor<sup>1</sup> to a third degree felony.<sup>2</sup> (Section [1](#))

#### Obscuring a License Plate

The bill defines a “license plate obscuring device” to mean a manual, electronic, or mechanical device designed or adapted to be installed on a motor vehicle which:

- Switches between two or more license plates for the purpose of allowing a motor vehicle operator to change the license plate displayed on the motor vehicle;
- Hides a license plate from view by flipping the license plate so that the license plate number is not visible;
- Covers, obscures, or otherwise interferes with the legibility, angular visibility, or detectability of any feature or detail on the license plate; or
- Interferes with the ability to record any feature or detail on the license plate. (Section [2](#))

<sup>1</sup> A first degree misdemeanor is punishable by up to one year in jail and a \$1,000 fine. [Ss. 775.082](#) and [775.083, F.S.](#)

<sup>2</sup> A third degree felony is punishable by up to five years imprisonment and a \$5,000 fine. [Ss. 775.082](#), [775.083](#), or [775.084, F.S.](#)

**STORAGE NAME:** h0253b.GOS

**DATE:** 3/25/2025

The bill prohibits a person from:

- Purchasing or possessing a license plate obscuring device, a violation of which is punishable as a second degree misdemeanor.<sup>3</sup>
- Manufacturing, selling, offering to sell, or otherwise distributing a license plate obscuring device, a violation of which is punishable as a first degree misdemeanor.
- Using a license plate obscuring device to assist in committing a crime or in escaping from or avoiding detection or arrest in connection with committing such crime, a violation of which is punishable as a third degree felony. (Section [2](#))

The effective date of the bill is October 1, 2025. (Section [3](#))

## **FISCAL OR ECONOMIC IMPACT:**

### **STATE GOVERNMENT:**

The bill may have an indeterminate positive prison bed impact by creating new felony offenses related to using prohibited lights to effect the stop of another vehicle and for using a license plate obscuring device to assist in committing a crime or escaping or avoiding detection, which may result in increased prison admissions.

### **LOCAL GOVERNMENT:**

The bill may have an indeterminate positive jail bed impact by creating new misdemeanor offenses relating to a license plate obscuring device, which may lead to increased jail admissions, and by increasing the penalty for offenses related to using prohibited lights to effect the stop of another vehicle, which may result in offenders being sentenced to longer terms of incarceration.

### **PRIVATE SECTOR:**

The bill prohibits a person from possessing, purchasing, manufacturing, selling, offering to sell, or otherwise distributing a license plate obscuring device. As such, the bill may have a negative fiscal impact on a person who previously purchased such a device by requiring him or her to dispose of the device, and a person who manufactures or sells such a device by prohibiting him or her from continuing to do so.

## **RELEVANT INFORMATION**

### **SUBJECT OVERVIEW:**

#### **[Operating a Vehicle with Prohibited Lights](#)**

[Section 316.2397, F.S.](#), generally prohibits a person from driving a vehicle with any lamp or device attached that shows or displays a red, red and white, or blue light that is visible from directly in front of the vehicle. Exceptions to the prohibition include:

- Police vehicles.
- Fire department vehicles.
- Vehicles owned by the Department of Corrections or a county correctional agency when responding to emergencies.
- Ambulances and other authorized emergency vehicles.
- Specified buses or taxicabs.<sup>4</sup>

A violation of the prohibition is a noncriminal traffic infraction, punishable as a nonmoving violation and a base fine of \$30.<sup>5</sup> If a person violates the prohibition and effects or attempts to effect a stop of another vehicle, he or she commits a first degree misdemeanor.<sup>6</sup>

[Section 843.081, F.S.](#), prohibits a person from using any flashing or rotating blue light<sup>7</sup> in or on any nongovernmentally owned vehicle or vessel unless such person is a law enforcement officer employed by a federal,

<sup>3</sup> A second degree misdemeanor is punishable by up to 60 days in jail and a \$500 fine. [Ss. 775.082](#) and [775.083, F.S.](#)

<sup>4</sup> [S. 316.2397\(2\)](#) and [\(3\), F.S.](#)

<sup>5</sup> [Ss. 316.2397\(10\)\(b\)](#) and [318.18\(2\), F.S.](#)

<sup>6</sup> [S. 316.2397\(10\)\(a\), F.S.](#)

state, county, or city law enforcement agency or is a person appointed by the Governor under ch. 354, F.S.<sup>8</sup> A violation of the prohibition is punishable as a first degree misdemeanor.<sup>9</sup>

### **Obscuring a License Plate**

[Section 320.061, F.S.](#), prohibits a person from applying or attaching a substance, reflective matter, illuminated device, spray, coating, covering, or other material onto or around any license plate which interferes with the legibility, angular visibility, or detectability of any feature or detail on the license plate or interferes with the ability to record any feature or detail on the license plate. A violation of the prohibition is a noncriminal traffic infraction, punishable as a moving violation and a base fine of \$60.<sup>10</sup>

### **OTHER RESOURCES:**

[Florida Man Used Device to Cover License Plate at Tolls](#)

[States Crack Down on License Plate Flippers](#)

## **BILL HISTORY**

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Criminal Justice Subcommittee</a>	17 Y, 0 N, As CS	3/12/2025	Hall	Padgett
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"><li>Removed a provision that made using a license plate obscuring device or interfering with the ability to record a feature or detail of a license plate a third degree felony.</li><li>Removed a provision that created a third degree felony if a person, during the commission of a crime, uses a license plate obscuring device, knowingly attaches a license plate that was not assigned to a vehicle or removes, covers, or obscures an assigned license plate.</li><li>Removed a provision that enhanced the underlying crime by one degree if a person, during the commission of a crime, used a license plate obscuring device, knowingly attached a license plate that was not assigned to a vehicle, or removed, covered, or obscured an assigned license plate.</li><li>Provided a third degree felony if a person uses a license plate obscuring device to assist in committing a crime or in escaping or avoiding detection or arrest in connection with committing such crime.</li></ul>			
<a href="#">Government Operations Subcommittee</a>	18 Y, 0 N	3/25/2025	Toliver	Walker
<a href="#">Judiciary Committee</a>				

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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<sup>7</sup> The term “flashing or rotating blue light” includes all forms of lights which display a blue light source or which were designed with the intent of displaying a blue light source whether or not such light is actually in use. [S. 843.081\(4\), F.S.](#)

<sup>8</sup> [S. 843.081\(2\), F.S.](#) Chapter 354, F.S., authorizes the Governor to appoint special officers to protect a railroad or other common carrier doing business in the state. [S. 354.01, F.S.](#)

<sup>9</sup> *Id.*

<sup>10</sup> [Ss. 320.061](#) and [318.18\(3\)\(a\), F.S.](#)