

By the Committees on Rules; and Transportation; and Senator Rodriguez

595-03375-25

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A bill to be entitled

An act relating to motor vehicles; amending s. 316.2397, F.S.; reclassifying the offense of driving, moving, or causing to be moved a vehicle or equipment with certain lighting on a highway as a third degree felony; amending s. 320.061, F.S.; prohibiting a person from knowingly using a license plate obscuring device; providing criminal penalties; reclassifying the offense of interfering with the legibility, angular visibility, or detectability of any feature or detail on a license plate or interfering with the ability to record any feature on a license plate as a misdemeanor of the second degree; creating s. 320.262, F.S.; defining the term "license plate obscuring device"; prohibiting the purchase, possession, manufacture, sale, offering for sale, or distribution of a license plate obscuring device; providing criminal penalties; providing criminal penalties for using a license plate obscuring device, knowingly attaching to a motor vehicle a license plate that was not assigned or transferred to the motor vehicle, altering the original appearance of a license plate, or interfering with the legibility, angular visibility, or detectability of any feature or detail on a license plate during the commission of a crime; providing criminal penalty enhancements for a crime committed while using a license plate obscuring device, knowingly attaching to a motor vehicle a license plate that was not assigned or transferred to

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the motor vehicle, altering the original appearance of a license plate, or interfering with the legibility, angular visibility, or detectability of any feature or detail on a license plate; providing an effective date.

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

Section 1. Paragraph (a) of subsection (10) of section 316.2397, Florida Statutes, is amended, and subsection (1) of that section is republished, to read:

316.2397 Certain lights prohibited; exceptions.—

(1) A person may not drive or move or cause to be moved any vehicle or equipment upon any highway within this state with any lamp or device thereon showing or displaying a red, red and white, or blue light visible from directly in front thereof except for certain vehicles provided in this section.

(10)(a) A person who violates subsection (1) and in so doing effects or attempts to effect a stop of another vehicle commits a felony ~~misdemeanor~~ of the third ~~first~~ degree, punishable as provided in s. 775.082 or s. 775.083.

Section 2. Section 320.061, Florida Statutes, is amended to read:

320.061 Unlawful to alter motor vehicle registration certificates, license plates, temporary license plates, mobile home stickers, or validation stickers or to obscure license plates; penalty.—A person may not alter the original appearance of a vehicle registration certificate, license plate, temporary license plate, mobile home sticker, or validation sticker issued

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for and assigned to a motor vehicle or mobile home, whether by mutilation, alteration, defacement, or change of color or in any other manner. A person who makes such alteration commits a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318. A person may not knowingly use a license plate obscuring device as defined in s. 320.262(1) or apply or attach 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 person who so interferes with a license plate commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083 ~~violates this section commits a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318.~~

Section 3. Section 320.262, Florida Statutes, is created to read:

320.262 License plate obscuring device prohibited; penalties; enhanced penalties for license plate offenses.-

(1) For purposes of this section, the term "license plate obscuring device" means a manual, electronic, or mechanical device designed or adapted to be installed on a motor vehicle for the purpose of:

(a) Switching between two or more license plates to permit a motor vehicle operator to change the license plate displayed on the motor vehicle;

(b) Hiding a license plate from view by flipping the

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license plate so that the license plate number is not visible;

(c) Covering, obscuring, or otherwise interfering with the legibility, angular visibility, or detectability of the primary features or details, including the license plate number or validation sticker, on the license plate; or

(d) Interfering with the ability to record the primary features or details, including the license plate number or validation sticker, on the license plate.

(2) A person may not purchase or possess a license plate obscuring device. A person who violates this subsection commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(3) A person may not manufacture, sell, offer to sell, or otherwise distribute a license plate obscuring device. A person who violates this subsection commits a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(4)(a) A person who, during the commission of any other crime, knowingly violates s. 320.061 or s. 320.261 commits a felony of the third degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A person who violates paragraph (a) is subject to enhanced penalties for the other crime as follows:

1. A misdemeanor of the second degree shall be punished as if it were a misdemeanor of the first degree.

2. A misdemeanor of the first degree shall be punished as if it were a felony of the third degree.

3. A felony of the third degree shall be punished as if it were a felony of the second degree.

4. A felony of the second degree shall be punished as if it

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117 were a felony of the first degree.

118 5. A felony of the first degree shall be punished as if it
119 were a life felony.

120 Section 4. This act shall take effect October 1, 2025.