

Council Substitute for  
Council Substitute for House Bill No. 275

An act relating to motor vehicle, mobile home, and vessel registration; amending s. 320.01, F.S.; redefining the term “registration period”; defining the term “extended registration period”; amending s. 320.055, F.S.; establishing an extended registration period and renewal period for certain motor vehicles and mobile homes; amending s. 320.06, F.S.; extending the time period and revising the fee for replacement of registration license plates; providing for staggered implementation; extending the period of validity of license plates and validation stickers to provide for an extended registration period; amending s. 320.07, F.S.; providing for the semiannual, annual, or biennial renewal of motor vehicle and mobile home registrations; authorizing the biennial renewal of certain motor vehicle and mobile home registrations upon payment of the cumulative total of license taxes, service charges, surcharges, and other fees; amending s. 320.071, F.S.; specifying that the registration period for a motor vehicle or mobile home may not exceed a specified number of months; creating s. 320.203, F.S.; providing for the disposition of biennial registration revenues; amending s. 328.72, F.S.; providing for an extended registration period for certain vessel owners; providing an effective date.

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

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

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

(19)(a) “Registration period” means a period of 12 months or 24 months during which a motor vehicle or mobile home registration is valid.

(b) “Extended registration period” means a period of 24 months during which a motor vehicle or mobile home registration is valid.

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

320.055 Registration periods; renewal periods.—The following registration periods and renewal periods are established:

(1)(a) For a motor vehicle subject to registration under s. 320.08(1), (2), (3), (5)(b), (c), (d), or (f), (6)(a), (7), (8), (9), or (10) and owned by a natural person, the registration period begins the first day of the birth month of the owner and ends the last day of the month immediately preceding the owner’s birth month in the succeeding year. If such vehicle is registered in the name of more than one person, the birth month of the person whose name first

appears on the registration shall be used to determine the registration period. For a vehicle subject to this registration period, the renewal period is the 30-day period ending at midnight on the vehicle owner's date of birth.

(b) A motor vehicle or mobile home that is subject to registration under s. 320.08(1), (2), (3), (4)(a) or (b), (6), (7), (8), (9), (10), or (11) is eligible for an extended registration period as defined in s. 320.01(19)(b).

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

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

320.06 Registration certificates, license plates, and validation stickers generally.—

(1)

(b) Registration license plates bearing a graphic symbol and the alphanumeric system of identification shall be issued for a 6-year ~~5-year~~ period. At the end of that 6-year ~~said 5-year~~ period, upon renewal, the plate shall be replaced. The department shall stagger the implementation of the 6-year license plate replacement cycle. The fee for such replacement is \$12 ~~shall be \$10~~, \$2 of which shall be paid each year before the plate is replaced, to be credited towards the next \$12 ~~\$10~~ replacement fee. The fees shall be deposited into the Highway Safety Operating Trust Fund. A credit or refund shall not be given for any prior years' payments of such prorated replacement fee if when the plate is replaced or surrendered before the end of the 6-year ~~5-year~~ period, except that a credit may be given when a registrant is required by the department to replace a license plate under s. 320.08056(8)(a). With each license plate, there shall be issued a validation sticker showing the owner's birth month, license plate number, and the year of expiration or the appropriate renewal period if the owner is not a natural person. The validation sticker shall ~~is to~~ be placed on the upper right corner of the license plate. Such license plate and validation sticker shall be issued based on the applicant's appropriate renewal period. The registration period is ~~shall be~~ a period of 12 months, the extended registration period is a period of 24 months, and all expirations shall occur based on the applicant's appropriate

registration period. A vehicle with an apportioned registration shall be issued an annual license plate and a cab card that denote the declared gross vehicle weight for each apportioned jurisdiction in which the vehicle is authorized to operate.

(c) Registration license plates equipped with validation stickers subject to the registration period are shall be valid for not more than 12 months and shall expire at midnight on the last day of the registration period. A registration license plate equipped with a validation sticker subject to the extended registration period is valid for not more than 24 months and expires at midnight on the last day of the extended registration period. For each registration period after the one in which the metal registration license plate is issued, and until the license plate is required to be replaced, a validation sticker showing the month and year of expiration shall be issued upon payment of the proper license tax amount and fees and ~~is shall be~~ valid for not more than 12 months. For each extended registration period occurring after the one in which the metal registration license plate is issued and until the license plate is required to be replaced, a validation sticker showing the year of expiration shall be issued upon payment of the proper license tax amount and fees and is valid for not more than 24 months. When license plates equipped with validation stickers are issued in any month other than the owner's birth month or the designated registration period for any other motor vehicle, the effective date shall reflect the birth month or month and the year of renewal. However, when a license plate or validation sticker is issued for a period of less than 12 months, the applicant shall pay the appropriate amount of license tax and the applicable fee under the provisions of s. 320.14 in addition to all other fees. Validation stickers issued for vehicles taxed under ~~the provisions of~~ s. 320.08(6)(a), for any company ~~that~~ which owns 250 vehicles or more, or for semitrailers taxed under the provisions of s. 320.08(5)(a), for any company ~~that~~ which owns 50 vehicles or more, may be placed on any vehicle in the fleet so long as the vehicle receiving the validation sticker has the same owner's name and address as the vehicle to which the validation sticker was originally assigned.

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

320.07 Expiration of registration; ~~annual~~ renewal required; penalties.—

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

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

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

(b) Any person who owns a motor vehicle or mobile home registered under s. 320.08(1), (2), (3), (4)(a) or (b), (6), (7), (8), (9), (10), or (11) may renew the vehicle registration biennially during the applicable renewal period upon payment of the 2-year cumulative total of all applicable license tax amounts required by s. 320.08 and service charges or surcharges required by ss. 320.03, 320.04, 320.0801, 320.08015, 320.0802, 320.0804, 320.0805, 320.08046, and 320.08056 and payment of the 2-year cumulative total of any additional fees required by law for an annual registration.

(3) The operation of any motor vehicle without having attached thereto a registration license plate and validation stickers, or the use of any mobile home without having attached thereto a mobile home sticker, for the current registration period shall subject the owner thereof, if he or she is present, or, if the owner is not present, the operator thereof to the following penalty provisions:

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

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

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

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

(e) Any servicemember, as defined in s. 250.01, whose mobile home registration has expired while he or she was serving on active duty or state active duty shall not be charged with a violation of this subsection if, at the time of the offense, the servicemember was serving on active duty or state active duty 35 miles or more from the mobile home. The servicemember must present to the department either a copy of the official military orders or a written verification signed by the servicemember's commanding officer to receive a waiver of waive charges.

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

(4)(a) In addition to a penalty provided in subsection (3), a delinquent fee based on the following schedule of license taxes shall be imposed on any applicant who fails to renew a registration prior to the end of the month in which renewal registration is due. The delinquent fee shall be applied beginning on the 11th calendar day of the month succeeding the renewal period. The delinquent fee does ~~shall~~ not apply to those vehicles that ~~which~~ have not

been required to be registered during the preceding registration period or as provided in s. 320.18(2). The delinquent fee shall be imposed as follows:

1. License tax of \$5 but not more than \$25: \$5 flat.
2. License tax over \$25 but not more than \$50: \$10 flat.
3. License tax over \$50 but not more than \$100: \$15 flat.
4. License tax over \$100 but not more than \$400: \$50 flat.
5. License tax over \$400 but not more than \$600: \$100 flat.
6. License tax over \$600 and up: \$250 flat.

(b) A person who has been assessed a penalty pursuant to s. 316.545(2)(b) for failure to have a valid vehicle registration certificate is not subject to the delinquent fee authorized by this subsection if such person obtains a valid registration certificate within 10 working days after such penalty was assessed. The official receipt authorized by s. 316.545(6) constitutes proof of payment of the penalty authorized in s. 316.545(2)(b).

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

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

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

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

320.071 Advance registration renewal; procedures.—

(1)(a) The owner of any motor vehicle or mobile home currently registered in this state may file an application for renewal of registration with the department, or its authorized agent in the county wherein the owner resides, any time during the 3 months preceding the date of expiration of the registration period. The registration period may not exceed 27 months.

Section 6. Section 320.203, Florida Statutes, is created to read:

320.203 Disposition of biennial license tax moneys.—

(1) Notwithstanding ss. 320.08(1), (2), (3), (4)(a) or (b), (6), (7), (8), (9), (10), or (11), 320.08058, and 328.76 and pursuant to s. 216.351, after the provisions of s. 320.20(1), (2), (3), and (4) are fulfilled, an amount equal to 50 percent of revenues collected from the biennial registrations created in s. 320.07 shall be retained in the Motor Vehicle License Clearing Trust Fund, authorized in s. 215.32(2)(b)2.f., until July 1. After July 1 of the subsequent fiscal year, an amount equal to 50 percent of revenues collected from the biennial registrations created in s. 320.07 shall be distributed according to ss. 320.08(1), (2), (3), (4)(a) or (4)(b), (6), (7), (8), (9), (10), or (11), 320.08058, 328.76, and 320.20(1), (2), (3), and (4).

(2) A tax collector may escrow an amount necessary to annualize revenues collected from the biennial registration service charges, branch charges, or tax collector fees created in s. 320.07 until October 1 of the following fiscal year and then account for that amount as revenue for that fiscal year.

Section 7. Subsections (1), (3), (9), and (12) of section 328.72, Florida Statutes, are amended to read:

328.72 Classification; registration; fees and charges; surcharge; disposition of fees; fines; marine turtle stickers.—

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

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

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

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

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

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

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

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

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

(To county)....56.85 for each 12-month period registered.

Class 4—65 feet or more and less than 110 feet in length....98.50 for each 12-month period registered.

(To county)....68.85 for each 12-month period registered.

Class 5—110 feet or more in length....122.50 for each 12-month period registered.

(To county)....86.85 for each 12-month period registered.

Dealer registration certificate ....16.50 for each 12-month period registered.

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

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

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

(12) **REGISTRATION.**—

(a) “Registration period” is a period of 12 months during which a vessel registration is valid.

(b) Any vessel owner who is subject to registration under subparagraph (c)1. is eligible for an extended registration period that begins the first day of the birth month of the owner and ends the last day of the month immediately preceding the owner’s birth month 24 months after the beginning of the registration period. If the vessel is registered in the name of more than one person, the birth month of the person whose name first appears on the registration shall be used to determine the extended registration period. For a vessel subject to this extended registration period, the renewal period is the 30-day period ending at midnight on the vessel owner’s date of birth. “Renewal period” is a period of 30 days during which renewal of a vessel registration is required, except as otherwise provided by law.

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

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

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

Section 8. This act shall take effect January 1, 2008.

Approved by the Governor June 27, 2007.

Filed in Office Secretary of State June 27, 2007.