

Council Substitute for House Bill No. 167

An act relating to temporary motor vehicle license tags; amending s. 320.131, F.S.; revising provisions for the placement of temporary tags on vehicles; revising provisions for implementation of an electronic, print-on demand, temporary tag issuance system; authorizing certain motor vehicle dealers to charge a fee in certain circumstance; authorizing limited use of a backup manual issuance method; authorizing the department to adopt rules; repealing s. 320.96, F.S., relating to implementation of an electronic, print-on-demand, temporary license plate system; providing an effective date.

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

Section 1. Subsections (4) and (8) of section 320.131, Florida Statutes, are amended, and subsection (9) is added to that section, to read:

320.131 Temporary tags.—

(4)(a) Temporary tags shall be conspicuously displayed in the rear license plate bracket or, ~~attached to the inside of the rear window in an upright position so as to be clearly visible from the rear of the vehicle.~~ on vehicles requiring front display of license plates, ~~temporary tags shall be displayed~~ on the front of the vehicle in the location where the metal license plate would normally be displayed.

(b) The department shall designate specifications for the media upon which the temporary tag is printed. Such media shall be either nonpermeable or subject to weatherproofing so that it maintains its structural integrity, including graphic and data adhesion, in all weather conditions after being placed on a vehicle.

(8) The department ~~shall~~ ~~may~~ administer an electronic system for licensed motor vehicle dealers to use ~~for~~ ~~in~~ issuing temporary tags license plates. ~~Upon issuing a temporary license plate, the dealer shall access the electronic system and enter the appropriate vehicle and owner information within the timeframe specified by department rule.~~ If a dealer fails to comply with the department's requirements for issuing temporary tags license plates using the electronic system, the department may deny, suspend, or revoke a license under s. 320.27(9)(b)16. ~~upon proof that the licensee has failed to comply with the department's requirements.~~ The department may adopt rules to administer this section.

(9)(a) The department shall implement a secure print-on-demand electronic temporary tag registration, record retention, and issue system required for use by every department-authorized issuer of temporary tags by the end of the 2007-2008 fiscal year. This system shall enable the department to issue, on demand, a temporary tag number in response to a request from the issuer by way of a secure electronic exchange of data and then

enable the issuer to print the temporary tag with all required information. A motor vehicle dealer licensed under ch. 320 shall be authorized to charge a fee to comply with this subsection.

(b) To ensure the continuation of operations for issuers if a system outage occurs, the department shall allow limited use of a backup manual issuance method during an outage which requires the record keeping of information as determined by the department and which requires the timely electronic reporting of this information to the department.

(c) The department may adopt rules as necessary to implement this subsection. Such rules may include exemptions from the requirements of this subsection as feasibly required to implement the program, as well as for issuers who do not require a dealer license under this chapter because of the type or size of vehicle being sold.

Section 2. Section 320.96, Florida Statutes, is repealed.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor May 28, 2008.

Filed in Office Secretary of State May 28, 2008.