

Bill No. SB 442

Barcode 744990

CHAMBER ACTION

Senate

House

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The Committee on Finance and Tax (Atwater) recommended the following amendment:

Senate Amendment (with title amendment)

Delete everything after the enacting clause

and insert:

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

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1 established:

2 (1)(a) For a motor vehicle subject to registration
 3 under s. 320.08(1), (2), (3), (5)(b), (c), (d), or (f),
 4 (6)(a), (7), (8), (9), or (10) and owned by a natural person,
 5 the registration period begins the first day of the birth
 6 month of the owner and ends the last day of the month
 7 immediately preceding the owner's birth month in the
 8 succeeding year. If such vehicle is registered in the name of
 9 more than one person, the birth month of the person whose name
 10 first appears on the registration shall be used to determine
 11 the registration period. For a vehicle subject to this
 12 registration period, the renewal period is the 30-day period
 13 ending at midnight on the vehicle owner's date of birth.

14 (b) A motor vehicle or mobile home that is subject to
 15 registration under s. 320.08(1), (2), (3), (4)(a) or (b), (6),
 16 (7), (8), (9), (10), or (11) is eligible for an extended
 17 registration period as defined in s. 320.01(19)(b).

18 ~~(c)(b)~~ Notwithstanding the requirements of paragraph
 19 (a), the owner of a motor vehicle subject to paragraph (a) who
 20 has had his or her driver's license suspended pursuant to a
 21 violation of s. 316.193 or pursuant to s. 322.26(2) for
 22 driving under the influence must obtain a 6-month registration
 23 as a condition of reinstating the license, subject to renewal
 24 during the 3-year period that financial responsibility
 25 requirements apply. The registration period begins the first
 26 day of the birth month of the owner and ends the last day of
 27 the fifth month immediately following the owner's birth month.
 28 For such vehicles, the department shall issue a vehicle
 29 registration certificate that is valid for 6 months and shall
 30 issue a validation sticker that displays an expiration date of
 31 6 months after the date of issuance. The license tax required

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1 by s. 320.08 and all other applicable license taxes shall be
 2 one-half of the amount otherwise required, except the service
 3 charge required by s. 320.04 shall be paid in full for each
 4 6-month registration. A vehicle required to be registered
 5 under this paragraph is not eligible for the extended
 6 registration period under paragraph (b).

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

9 320.06 Registration certificates, license plates, and
 10 validation stickers generally.--

11 (1)

12 (b) Registration license plates bearing a graphic
 13 symbol and the alphanumeric system of identification shall be
 14 issued for a 6-year ~~5-year~~ period. At the end of that 6-year
 15 ~~said 5-year~~ period, upon renewal, the plate shall be replaced.
 16 The fee for such replacement is \$12 ~~shall be \$10~~, \$2 of which
 17 shall be paid each year before the plate is replaced, to be
 18 credited towards the next \$12 ~~\$10~~ replacement fee. The fees
 19 shall be deposited into the Highway Safety Operating Trust
 20 Fund. A credit or refund shall not be given for any prior
 21 years' payments of such prorated replacement fee if ~~when~~ the
 22 plate is replaced or surrendered before the end of the 6-year
 23 ~~5-year~~ period, except that a credit may be given when a
 24 registrant is required by the department to replace a license
 25 plate under s. 320.08056(8)(a). With each license plate, there
 26 shall be issued a validation sticker showing the owner's birth
 27 month, license plate number, and the year of expiration or the
 28 appropriate renewal period if the owner is not a natural
 29 person. The validation sticker shall ~~is to~~ be placed on the
 30 upper right corner of the license plate. Such license plate
 31 and validation sticker shall be issued based on the

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1 applicant's appropriate renewal period. The registration
 2 period ~~is shall be~~ a period of 12 months, the extended
 3 registration period is a period of 24 months, and all
 4 expirations shall occur based on the applicant's appropriate
 5 registration period. A vehicle with an apportioned
 6 registration shall be issued an annual license plate and a cab
 7 card that denote the declared gross vehicle weight for each
 8 apportioned jurisdiction in which the vehicle is authorized to
 9 operate.

10 (c) Registration license plates equipped with
 11 validation stickers subject to the registration period are
 12 ~~shall be~~ valid for not more than 12 months and ~~shall~~ expire at
 13 midnight on the last day of the registration period. A
 14 registration license plate equipped with a validation sticker
 15 subject to the extended registration period is valid for not
 16 more than 24 months and expires at midnight on the last day of
 17 the extended registration period. For each registration period
 18 after the one in which the metal registration license plate is
 19 issued, and until the license plate is required to be
 20 replaced, a validation sticker showing the month and year of
 21 expiration shall be issued upon payment of the proper license
 22 tax amount and fees and ~~is shall be~~ valid for not more than 12
 23 months. For each extended registration period occurring after
 24 the one in which the metal registration license plate is
 25 issued and until the license plate is required to be replaced,
 26 a validation sticker showing the year of expiration shall be
 27 issued upon payment of the proper license tax amount and fees
 28 and is valid for not more than 24 months. When license plates
 29 equipped with validation stickers are issued in any month
 30 other than the owner's birth month or the designated

31 registration period for any other motor vehicle, the effective

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1 date shall reflect the birth month or month and the year of
 2 renewal. However, when a license plate or validation sticker
 3 is issued for a period of less than 12 months, the applicant
 4 shall pay the appropriate amount of license tax and the
 5 applicable fee under ~~the provisions of~~ s. 320.14 in addition
 6 to all other fees. Validation stickers issued for vehicles
 7 taxed under ~~the provisions of~~ s. 320.08(6)(a), for any company
 8 that ~~which~~ owns 250 vehicles or more, or for semitrailers
 9 taxed under the provisions of s. 320.08(5)(a), for any company
 10 that ~~which~~ owns 50 vehicles or more, may be placed on any
 11 vehicle in the fleet so long as the vehicle receiving the
 12 validation sticker has the same owner's name and address as
 13 the vehicle to which the validation sticker was originally
 14 assigned.

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

17 320.07 Expiration of registration; ~~annual~~ renewal
 18 required; penalties.--

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

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

31 (a) ~~However,~~ Any person who owns ~~owning~~ a motor

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1 vehicle registered under s. 320.08(4), (6)(b), or (13) may
 2 register semiannually as provided in s. 320.0705.

3 (b) Any person who owns a motor vehicle or mobile home
 4 registered under s. 320.08(1), (2), (3), (4)(a) or (b), (6),
 5 (7), (8), (9), (10), or (11) may renew the vehicle
 6 registration biennially during the applicable renewal period
 7 upon payment of the 2-year cumulative total of all applicable
 8 license tax amounts required by s. 320.08 and service charges
 9 or surcharges required by ss. 320.03, 320.04, 320.0801,
 10 320.08015, 320.0802, 320.0804, 320.0805, 320.08046, and
 11 320.08056 and payment of the 2-year cumulative total of any
 12 additional fees required by law for an annual registration.

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

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

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

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

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1 775.082 or s. 775.083.

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

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

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

21 (4)(a) In addition to a penalty provided in subsection
22 (3), a delinquent fee based on the following schedule of
23 license taxes shall be imposed on any applicant who fails to
24 renew a registration prior to the end of the month in which
25 renewal registration is due. The delinquent fee shall be
26 applied beginning on the 11th calendar day of the month
27 succeeding the renewal period. The delinquent fee does ~~shall~~
28 not apply to those vehicles that ~~which~~ have not been required
29 to be registered during the preceding registration period or
30 as provided in s. 320.18(2). The delinquent fee shall be
31 imposed as follows:

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1 1. License tax of \$5 but not more than \$25: \$5 flat.

2 2. License tax over \$25 but not more than \$50: \$10

3 flat.

4 3. License tax over \$50 but not more than \$100: \$15

5 flat.

6 4. License tax over \$100 but not more than \$400: \$50

7 flat.

8 5. License tax over \$400 but not more than \$600: \$100

9 flat.

10 6. License tax over \$600 and up: \$250 flat.

11 (b) A person who has been assessed a penalty pursuant
12 to s. 316.545(2)(b) for failure to have a valid vehicle
13 registration certificate is not subject to the delinquent fee
14 authorized by this subsection if such person obtains a valid
15 registration certificate within 10 working days after such
16 penalty was assessed. The official receipt authorized by s.
17 316.545(6) constitutes proof of payment of the penalty
18 authorized in s. 316.545(2)(b).

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

23 (5) Any servicemember, as defined in s. 250.01, whose
24 motor vehicle or mobile home registration has expired while he
25 or she was serving on active duty or state active duty may
26 ~~shall be able to~~ renew his or her registration upon return
27 from active duty or state active duty without penalty, if the
28 servicemember served on active duty or state active duty 35
29 miles or more from the servicemember's home of record prior to
30 entering active duty or state active duty. The servicemember
31 must provide to the department either a copy of the official

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1 military orders or a written verification signed by the
2 servicemember's commanding officer to receive a waiver of
3 ~~waive~~ delinquent fees.

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

7 Section 5. Paragraph (a) of subsection (1) of section
8 320.071, Florida Statutes, is amended to read:

9 320.071 Advance registration renewal; procedures.--

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

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

19 320.203 Disposition of biennial license tax moneys.--

20 (1) Notwithstanding ss. 320.08(1), (2), (3), (4)(a) or
21 (b), (6), (7), (8), (9), (10), or (11), 320.08058, and 328.76
22 and pursuant to s. 216.351, after the provisions of s.
23 320.20(1), (2), (3), and (4) are fulfilled, an amount equal to
24 50 percent of revenues collected from the biennial
25 registrations created in s. 320.07 shall be retained in the
26 Motor Vehicle License Clearing Trust Fund, authorized in s.
27 215.32(2)(b)2.f., until July 1 of the following fiscal year
28 and then accounted for as revenue for that fiscal year derived
29 from use fees, vessel registrations, and the licensing of
30 motor vehicles.

31 (2) A tax collector may escrow an amount necessary to

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1 annualize revenues collected from the biennial registration
 2 service charges, branch charges, or tax collector fees created
 3 in s. 320.07 until October 1 of the following fiscal year and
 4 then account for that amount as revenue for that fiscal year.

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

7 328.72 Classification; registration; fees and charges;
 8 surcharge; disposition of fees; fines; marine turtle
 9 stickers.--

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

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

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

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

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

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

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

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

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

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

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1 registered.

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

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

6 Class 5--110 feet or more in length....122.50 for each
7 12-month period registered.

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

10 Dealer registration certificate16.50 for each
11 12-month period registered.

12
13 The county portion of the vessel registration fee is derived
14 from recreational vessels only.

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

23 (9) SURCHARGE.--In addition, there is hereby levied
24 and imposed on each vessel registration fee imposed under
25 subsection (1) a surcharge in the amount of \$1 for each
26 12-month period of registration, which shall be collected in
27 the same manner as the fee and deposited into the State Agency
28 Law Enforcement Radio System Trust Fund of the Department of
29 Management Services.

30 (12) REGISTRATION.--

31 (a) "Registration period" is a period of 12 months

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1 during which a vessel registration is valid.

2 (b) Any vessel owner who is subject to registration
3 under subparagraph (c)1. is eligible for an extended
4 registration period that begins the first day of the birth
5 month of the owner and ends the last day of the month
6 immediately preceding the owner's birth month 24 months after
7 the beginning of the registration period. If the vessel is
8 registered in the name of more than one person, the birth
9 month of the person whose name first appears on the
10 registration shall be used to determine the extended
11 registration period. For a vessel subject to this extended
12 registration period, the renewal period is the 30-day period
13 ending at midnight on the vessel owner's date of birth.

14 ~~"Renewal period" is a period of 30 days during which renewal~~
15 ~~of a vessel registration is required, except as otherwise~~
16 ~~provided by law.~~

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

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

29 2. For vessels owned by companies, corporations,
30 governmental entities, and registrations issued to dealers and
31 manufacturers, the registration period begins July 1 and ends

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1 June 30. The renewal period is the 30-day period beginning
2 June 1.

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

4
5

6 ===== T I T L E A M E N D M E N T =====

7 And the title is amended as follows:

8 Delete everything before the enacting clause

9

10 and insert:

11 A bill to be entitled
12 An act relating to motor vehicle, mobile home,
13 and vessel registration; amending s. 320.01,
14 F.S.; redefining the term "registration
15 period"; defining the term "extended
16 registration period"; amending s. 320.055,
17 F.S.; establishing an extended registration
18 period and renewal period for certain motor
19 vehicles and mobile homes; amending s. 320.06,
20 F.S.; extending the time period and revising
21 the fee for replacement of registration license
22 plates; extending the period of validity of
23 license plates and validation stickers to
24 provide for an extended registration period;
25 amending s. 320.07, F.S.; providing for the
26 semiannual, annual, or biennial renewal of
27 motor vehicle and mobile home registrations;
28 authorizing the biennial renewal of certain
29 motor vehicle and mobile home registrations
30 upon payment of the cumulative total of license
31 taxes, service charges, surcharges, and other

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1 fees; amending s. 320.071, F.S.; specifying
2 that the registration period for a motor
3 vehicle or mobile home may not exceed a
4 specified number of months; creating s.
5 320.203, F.S.; providing for the disposition of
6 biennial registration revenues; amending s.
7 328.72, F.S.; providing for an extended
8 registration period for certain vessel owners;
9 providing an effective date.

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