By Senator Gibson

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A bill to be entitled An act relating to motor vehicle registration certificate cards; amending s. 320.02, F.S.; requiring the application form for motor vehicle registration and renewal of registration to include language permitting applicants to request registration certificate cards; amending s. 320.031, F.S.; authorizing the Department of Highway Safety and Motor Vehicles and tax collectors to use United States mail service to deliver registration certificate cards; specifying a requirement for mailing such cards; amending s. 320.055, F.S.; requiring the department to issue registration certificate cards to specified motor vehicle owners under certain circumstances; amending s. 320.06, F.S.; requiring the department to issue a registration certificate card to the owner or lessee of a motor vehicle if requested by such owner or lessee; amending s. 320.0605, F.S.; expanding the list of documents required to be in the possession of the operator of a motor vehicle or carried in the vehicle for certain purposes to include registration certificate cards; providing penalties; amending s. 320.0609, F.S.; requiring that registration certificate cards be issued to the owner of a registered vehicle; authorizing registration certificate cards to be transferred by the owner or surrendered under certain circumstances; specifying a transfer fee for the issuance of a new registration certificate card under certain circumstances;

authorizing the surviving spouse of a deceased registered owner of a motor vehicle to request a registration certificate card; amending s. 320.061, F.S.; prohibiting a person from altering the original appearance of a registration certificate card; providing penalties; amending s. 320.07, F.S.; providing that a person who has been assessed certain penalties is not subject to a delinquent fee if the person obtains a valid registration certificate card within a specified timeframe; amending s. 320.0843, F.S.; requiring that eligible applicants for permanent disabled parking permits be noted on registration certificate cards under certain circumstances; amending s. 320.086, F.S.; requiring a registration certificate card to be carried within former military vehicles under certain circumstances; amending s. 320.1325, F.S.; requiring the department to provide a registration certificate card upon request to a person who owns or leases a motor vehicle and who is temporarily employed in this state; amending s. 320.58, F.S.; providing criminal penalties; amending s. 320.27, F.S.; conforming a cross-reference; amending s. 322.121, F.S.; conforming a provision to changes made by the act; providing an effective date.

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

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Section 1. Present subsections (15) through (20) of section 320.02, Florida Statutes, are redesignated as subsections (16)

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through (21), respectively, and a new subsection (15) is added to that section, to read:

320.02 Registration required; application for registration; forms.—

(15) The application form for motor vehicle registration and renewal of registration must include language permitting an applicant to request a registration certificate card.

Section 2. Section 320.031, Florida Statutes, is amended to read:

320.031 Mailing of registration certificates, <u>registration</u> certificate cards, license plates, and validation stickers.—

- (1) The department and the tax collectors of the several counties of the state may at the request of the applicant use United States mail service to deliver registration certificates and registration certificate cards and renewals thereof, license plates, mobile home stickers, and validation stickers to applicants.
- (2) A mail service charge may be collected for each registration certificate, license plate, mobile home sticker, and validation sticker mailed by the department or any tax collector. Each registration certificate, registration certificate card, license plate, mobile home sticker, and validation sticker shall be mailed by first-class mail unless otherwise requested by the applicant. The amount of the mail service charge shall be the actual postage required, rounded to the nearest 5 cents, plus a 25-cent handling charge. The mail service charge is in addition to the service charge provided by s. 320.04. All charges collected by the department under this section shall be deposited into the Highway Safety Operating

Trust Fund.

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Section 3. Paragraph (c) of 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)

(c) Notwithstanding the requirements of paragraph (a), the owner of a motor vehicle subject to paragraph (a) who has had his or her driver 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 and, upon the request of the owner, a registration certificate card that are 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 4. Section 320.06, Florida Statutes, is amended to

read:

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320.06 Registration certificates, <u>registration certificate</u> cards, license plates, and validation stickers generally.—

(1) (a) Upon the receipt of an initial application for registration and payment of the appropriate license tax and other fees required by law, the department shall assign to the motor vehicle a registration license number consisting of letters and numerals or numerals and issue to the owner or lessee a certificate of registration, a registration certificate card if requested by the owner or lessee, and one registration license plate, unless two plates are required for display by s. 320.0706, for each vehicle so registered.

(b) 1. Registration license plates bearing a graphic symbol and the alphanumeric system of identification shall be issued for a 10-year period. At the end of the 10-year period, upon renewal, the plate shall be replaced. The department shall extend the scheduled license plate replacement date from a 6year period to a 10-year period. The fee for such replacement is \$28, \$2.80 of which shall be paid each year before the plate is replaced, to be credited toward the next \$28 replacement fee. The fees shall be deposited into the Highway Safety Operating Trust Fund. A credit or refund may not be given for any prior years' payments of the prorated replacement fee if the plate is replaced or surrendered before the end of the 10-year period, except that a credit may be given if a registrant is required by the department to replace a license plate under s. 320.08056(8)(a). With each license plate, a validation sticker shall be issued showing the owner's birth month, license plate number, and the year of expiration or the appropriate renewal

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period if the owner is not a natural person. The validation sticker shall be placed on the upper right corner of the license plate. The license plate and validation sticker shall be issued based on the applicant's appropriate renewal period. The registration period is 12 months, the extended registration period is 24 months, and all expirations occur based on the applicant's appropriate registration period. Rental vehicles taxed pursuant to s. 320.08(6)(a) may elect a permanent registration period, provided payment of the appropriate license taxes and fees occurs annually. A vehicle that has 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.

- 2. In order to retain the efficient administration of the taxes and fees imposed by this chapter, the 80-cent fee increase in the replacement fee imposed by chapter 2009-71, Laws of Florida, is negated as provided in s. 320.0804.
- (c) Registration license plates equipped with validation stickers subject to the registration period are valid for not more than 12 months and 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. A registration license plate equipped with a validation sticker subject to a permanent registration period is permanently valid but shall become void if appropriate license taxes and fees are not paid annually. For each registration period after the one in

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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 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. For each permanent 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 a permanent registration period shall be issued upon payment of the proper license tax amount and fees and is permanently valid but shall become void if the proper license taxes and fees are not paid annually. 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 s. 320.14 in addition to all other fees. Validation stickers issued for vehicles taxed under s. 320.08(6)(a), for any company that owns 250 vehicles or more, or for semitrailers taxed under the provisions of s. 320.08(5)(a), for any company that owns 50 vehicles or more, may be placed on any vehicle in

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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.

- (2) The department shall provide the several tax collectors and license plate agents with the necessary number of validation stickers.
- (3) (a) Registration license plates must be made of metal specially treated with a retroreflection material, as specified by the department. The registration license plate is designed to increase nighttime visibility and legibility and must be at least 6 inches wide and not less than 12 inches in length, unless a plate with reduced dimensions is deemed necessary by the department to accommodate motorcycles, mopeds, or similar smaller vehicles. Validation stickers must also be treated with a retroreflection material, must be of such size as specified by the department, and must adhere to the license plate. The registration license plate must be imprinted with a combination of bold letters and numerals or numerals, not to exceed seven digits, to identify the registration license plate number. The license plate must be imprinted with the word "Florida" at the top and the name of the county in which it is sold, the state motto, or the words "Sunshine State" at the bottom. Apportioned license plates must have the word "Apportioned" at the bottom, and license plates issued for vehicles taxed under s. 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have the word "Restricted" at the bottom. License plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word "Florida" at the top and the word "Dealer" at the bottom unless the license plate is a specialty license plate as

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authorized in s. 320.08056. Manufacturer license plates issued for vehicles taxed under s. 320.08(12) must be imprinted with the word "Florida" at the top and the word "Manufacturer" at the bottom. License plates issued for vehicles taxed under s. 320.08(5)(d) or (e) must be imprinted with the word "Wrecker" at the bottom. Any county may, upon majority vote of the county commission, elect to have the county name removed from the license plates sold in that county. The state motto or the words "Sunshine State" shall be printed in lieu thereof. A license plate issued for a vehicle taxed under s. 320.08(6) may not be assigned a registration license number, or be issued with any other distinctive character or designation, that distinguishes the motor vehicle as a for-hire motor vehicle.

- (b) An additional fee of 50 cents shall be collected on each motor vehicle registration or motor vehicle renewal registration issued in this state in order for all license plates and validation stickers to be fully treated with retroreflection material. The fee shall be deposited into the Highway Safety Operating Trust Fund.
- (4) The corporation organized under chapter 946 may manufacture license plates, validation stickers, and decals, as well as temporary tags, disabled hang tags, vessel decals, and fuel use decals, for the Department of Highway Safety and Motor Vehicles as provided in this chapter and chapter 327. The Department of Highway Safety and Motor Vehicles is not required to obtain competitive bids in order to contract with the corporation.
- (5) The department may conduct a pilot program to evaluate the designs, concepts, and technologies for alternative license

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plates. For purposes of the pilot program, the department shall investigate the feasibility and use of alternative license plate technologies and the long-term cost impact to the consumer. The pilot program shall be limited to license plates that are used on government-owned motor vehicles as described in s. 320.0655. Such license plates are exempt from the requirements in paragraph (3)(a).

(6) All license plates issued pursuant to this chapter are the property of the state.

Section 5. Paragraph (a) of subsection (1) of section 320.0605, Florida Statutes, is amended to read:

320.0605 Certificate of registration; possession required; exception.—

(1)(a) The registration certificate or an official copy thereof, a registration certificate card, a true copy or an electronic copy of rental or lease documentation issued for a motor vehicle or issued for a replacement vehicle in the same registration period, a temporary receipt printed upon selfinitiated electronic renewal of a registration via the Internet, or a cab card issued for a vehicle registered under the International Registration Plan shall, at all times while the vehicle is being used or operated on the roads of this state, be in the possession of the operator thereof or be carried in the vehicle for which issued and shall be exhibited upon demand of any authorized law enforcement officer or any agent of the department, except for a vehicle registered under s. 320.0657. This section does not apply during the first 30 days after purchase of a replacement vehicle. A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving

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violation as provided in chapter 318.

Section 6. Paragraph (a) of subsection (1), paragraph (a) of subsection (5), and subsection (7) of section 320.0609, Florida Statutes, are amended to read:

320.0609 Transfer and exchange of registration license plates; transfer fee.—

- (1) (a) The registration license plate, and certificate of registration, and registration certificate card shall be issued to, and remain in the name of, the owner of the vehicle registered and may be transferred by the owner from the vehicle for which the registration license plate was issued to any vehicle which the owner may acquire within the same classification; or, subject to the procedures set forth in subsection (2), such plate may be surrendered to the department in exchange for a license plate of the appropriate classification, if the replacement vehicle is of a different classification.
- (5) For a transfer or exchange other than one specified in paragraph (2)(b), the following provisions apply:
- (a) If the replacement motor vehicle requires the same amount of license tax under s. 320.08 as the original vehicle to be replaced, no additional tax other than the transfer fee of \$4.50, accompanied by an application for transfer on a form supplied by the department, is required to transfer or exchange a registration license plate for use on a replacement vehicle for the duration of a current registration period and to issue a new certificate of registration and, at the request of the owner, a new registration certificate card.
 - (7) A surviving spouse of a registered owner of any motor

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vehicle may, upon presenting the death certificate, request a registration certificate, a registration certificate card, and transfer of the registration license plate. If the surviving spouse does not present the death certificate, the department or its agent may verify the necessary information through the electronic file of death records maintained by the Department of Health.

Section 7. Section 320.061, Florida Statutes, is amended to read:

320.061 Unlawful to alter motor vehicle registration certificates, registration certificate cards, 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, registration certificate card, license plate, temporary license plate, mobile home sticker, or validation sticker issued 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 may not 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 violates this section commits a noncriminal traffic infraction, punishable as a moving violation as provided in chapter 318. Section 8. Paragraph (b) of subsection (4) of section

320.07, Florida Statutes, is amended to read:

320.07 Expiration of registration; renewal required; penalties.—

(4)

(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 or registration certificate card 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).

Section 9. Subsection (1) of section 320.0843, Florida Statutes, is amended to read:

320.0843 License plates for persons with disabilities eligible for permanent disabled parking permits.—

(1) Any owner or lessee of a motor vehicle who resides in this state and qualifies for a disabled parking permit under s. 320.0848(2), upon application to the department and payment of the license tax for a motor vehicle registered under s. 320.08(2), (3)(a), (b), (c), or (e), (4)(a) or (b), (6)(a), or (9)(c) or (d), shall be issued a license plate as provided by s. 320.06 which, in lieu of the serial number prescribed by s. 320.06, shall be stamped with the international wheelchair user symbol after the serial number of the license plate. The license plate entitles the person to all privileges afforded by a parking permit issued under s. 320.0848. When more than one registrant is listed on the registration issued under this section, the eligible applicant shall be noted on the registration certificate and registration certificate card.

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Section 10. Subsection (5) of section 320.086, Florida Statutes, is amended to read:

320.086 Ancient or antique motor vehicles; horseless carriage, antique, or historical license plates; former military vehicles.—

(5) A former military vehicle that is used only in exhibitions, parades, or public display is exempt from the requirement to display a license plate or registration insignia if the exemption is necessary to maintain the vehicle's accurate military markings. However, the license plate and registration certificate or registration certificate card issued under this section must be carried within the vehicle and available for inspection by any law enforcement officer.

Section 11. Section 320.1325, Florida Statutes, is amended to read:

320.1325 Registration required for the temporarily employed.—Motor vehicles owned or leased by persons who are temporarily employed within the state but are not residents are required to be registered. Upon payment of the fees prescribed in this section and proof of insurance coverage as required by the applicant's resident state, the department shall provide a temporary registration plate, and a registration certificate, and, upon request, a registration certificate card valid for 90 days to an applicant who is temporarily employed in this state. The temporary registration plate may be renewed one time for an additional 90-day period. At the end of the 180-day period of temporary registration, the applicant shall apply for a permanent registration if there is a further need to remain in this state. A temporary license registration plate may not be

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issued for any commercial motor vehicle as defined in s. 320.01. The fee for the 90-day temporary registration plate shall be \$40 plus the applicable service charge required by s. 320.04. Subsequent permanent registration and titling of a vehicle registered hereunder shall subject the applicant to providing proof of Florida insurance coverage as specified in s. 320.02 and payment of the fees required by s. 320.072, in addition to all other taxes and fees required.

Section 12. Subsection (2) of section 320.58, Florida Statutes, is amended to read:

320.58 License inspectors; powers, appointment.-

(2) Any person who fails or refuses to surrender his or her driver license, registration certificate, registration certificate card, and license plate upon lawful demand of an inspector, supervisor, or authorized agent of the department is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 13. Paragraph (b) of subsection (9) of section 320.27, Florida Statutes, is amended to read:

320.27 Motor vehicle dealers.-

- (9) DENIAL, SUSPENSION, OR REVOCATION. -
- (b) The department may deny, suspend, or revoke any license issued hereunder or under the provisions of s. 320.77 or s. 320.771 upon proof that a licensee has committed, with sufficient frequency so as to establish a pattern of wrongdoing on the part of a licensee, violations of one or more of the following activities:
- 1. Representation that a demonstrator is a new motor vehicle, or the attempt to sell or the sale of a demonstrator as

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a new motor vehicle without written notice to the purchaser that the vehicle is a demonstrator. For the purposes of this section, a "demonstrator," a "new motor vehicle," and a "used motor vehicle" shall be defined as under s. 320.60.

- 2. Unjustifiable refusal to comply with a licensee's responsibility under the terms of the new motor vehicle warranty issued by its respective manufacturer, distributor, or importer. However, if such refusal is at the direction of the manufacturer, distributor, or importer, such refusal shall not be a ground under this section.
- 3. Misrepresentation or false, deceptive, or misleading statements with regard to the sale or financing of motor vehicles which any motor vehicle dealer has, or causes to have, advertised, printed, displayed, published, distributed, broadcast, televised, or made in any manner with regard to the sale or financing of motor vehicles.
- 4. Failure by any motor vehicle dealer to provide a customer or purchaser with an odometer disclosure statement and a copy of any bona fide written, executed sales contract or agreement of purchase connected with the purchase of the motor vehicle purchased by the customer or purchaser.
- 5. Failure of any motor vehicle dealer to comply with the terms of any bona fide written, executed agreement, pursuant to the sale of a motor vehicle.
- 6. Failure to apply for transfer of a title as prescribed in s. 319.23(6).
- 7. Use of the dealer license identification number by any person other than the licensed dealer or his or her designee.
 - 8. Failure to continually meet the requirements of the

licensure law.

9. Representation to a customer or any advertisement to the public representing or suggesting that a motor vehicle is a new motor vehicle if such vehicle lawfully cannot be titled in the name of the customer or other member of the public by the seller using a manufacturer's statement of origin as permitted in s. 319.23(1).

- 10. Requirement by any motor vehicle dealer that a customer or purchaser accept equipment on his or her motor vehicle which was not ordered by the customer or purchaser.
- 11. Requirement by any motor vehicle dealer that any customer or purchaser finance a motor vehicle with a specific financial institution or company.
- 12. Requirement by any motor vehicle dealer that the purchaser of a motor vehicle contract with the dealer for physical damage insurance.
- 13. Perpetration of a fraud upon any person as a result of dealing in motor vehicles, including, without limitation, the misrepresentation to any person by the licensee of the licensee's relationship to any manufacturer, importer, or distributor.
- 14. Violation of any of the provisions of s. 319.35 by any motor vehicle dealer.
- 15. Sale by a motor vehicle dealer of a vehicle offered in trade by a customer prior to consummation of the sale, exchange, or transfer of a newly acquired vehicle to the customer, unless the customer provides written authorization for the sale of the trade-in vehicle prior to delivery of the newly acquired vehicle.

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16. Willful failure to comply with any administrative rule adopted by the department or the provisions of s. 320.131(8).

- 17. Violation of chapter 319, this chapter, or ss. 559.901-559.9221, which has to do with dealing in or repairing motor vehicles or mobile homes. Additionally, in the case of used motor vehicles, the willful violation of the federal law and rule in 15 U.S.C. s. 2304, 16 C.F.R. part 455, pertaining to the consumer sales window form.
- 18. Failure to maintain evidence of notification to the owner or co-owner of a vehicle regarding registration or titling fees owed as required in s. 320.02(18) s. 320.02(17).
- 19. Failure to register a mobile home salesperson with the department as required by this section.
- Section 14. Paragraph (a) of subsection (2) of section 322.121, Florida Statutes, is amended to read:
 - 322.121 Periodic reexamination of all drivers.
- (2) For each licensee whose driving record does not show any revocations, disqualifications, or suspensions for the preceding 7 years or any convictions for the preceding 3 years except for convictions of the following nonmoving violations:
- (a) Failure to exhibit a vehicle registration certificate, vehicle registration certificate card, rental agreement, or cab card pursuant to s. 320.0605;
- the department shall cause such licensee's license to be prominently marked with the notation "Safe Driver."
 - Section 15. This act shall take effect July 1, 2022.