

Florida

Department of Highway Safety and Motor Vehicles

Division of Motorist Services

PROCEDURE RS-61	SUBJECT: MOTORCYCLES, MOPEDS, AND DISABILITY ACCESS VEHICLES	
DESCRIPTION AND USE: THIS PROCEDURE PROVIDES INFORMATION AND INSTRUCTIONS TO ASSIST TAX COLLECTOR EMPLOYEES, LICENSE PLATE AGENCY EMPLOYEES, AND THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES FOR THE ISSUANCE OF LICENSE PLATES FOR MOTORCYCLES, MOPEDS, AND DISABILITY ACCESS VEHICLES.		
<p>I. PROVISIONS OF LAW:</p> <p>Section 316.2085, Florida Statutes, provides that the license tag of a motorcycle or moped must be permanently affixed to the vehicle and may not be adjusted or capable of being flipped up. No device for or method of concealing or obscuring the legibility of the license tag of a motorcycle shall be installed or used. The license tag of a motorcycle or moped may be affixed horizontally to the ground so that the numbers and letters read from left to right. Alternatively, a license tag for a motorcycle or moped for which the numbers and letters read from top to bottom may be affixed perpendicularly to the ground, provided that the registered owner of the motorcycle or moped maintains a prepaid toll account in good standing and a transponder associated with the prepaid toll account is affixed to the motorcycle or moped.</p> <p>Sections 320.06(3)(a) and 320.0803, Florida Statutes, provides for a reduced dimension (4 inches wide by 7 inches long) license plate to accommodate motorcycle sized vehicles except motorized bicycles.</p> <p>Section 320.08(1), Florida Statutes, provides the taxing structure for these types of vehicles.</p> <p>Section 320.01(2<u>6</u>), Florida Statutes, states, "MOTORCYCLE" means any vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor or a moped.</p> <p>Section 320.01(2<u>7</u>), Florida Statutes, states, "MOPED" means any vehicle with pedals to permit propulsion by human power, having a seat or saddle for the use of the rider and designed to travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground, and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.</p>		
Revision(s) to this procedure: Corrected statute numbers on pages 1 &2, and added additional information in II, B.		
EFFECTIVE DATE Immediately	REVISION DATE 07/14/14	PAGE # RS-61-01

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SUBJECT:

MOTORCYCLES, MOPEDS, AND DISABILITY ACCESS VEHICLES

Section 320.01(33), Florida statutes, states, "MOTORIZED DISABILITY ACCESS VEHICLE" means a vehicle designed primarily for handicapped individuals with normal upper body abilities and designed to be fueled by gasoline, travel on not more than three wheels, with a motor rated not in excess of 2 brake horsepower and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground, and with a power-drive system that functions directly or automatically without clutching or shifting gears by the operator after the drive system is engaged. If an internal combustion engine is used, the displacement may not exceed 50 cubic centimeters.

Section 316.211 (6), Florida Statutes, state that each motorcycle registered to a person under 21 years of age must display a license plate that is unique in design and color.

II. GENERAL INFORMATION:

- A. All motorcycles, mopeds, and disability access vehicles are issued a regular motorcycle style license plate. These license plates must be renewed annually.
- B. Dirt bikes noted for off road use, Go-Peds and electric motorized bicycles (**defined in section 316.003(2), Florida Statutes**) are not registered. **However, bicycles motorized with gas motors (defined as a moped) are registered. See DMS Procedure RS-68 for information on registering a motorized gas powered bicycle (defined as a moped).**
- C. If a manufacturer's certificate of origin states the vehicle is a "motor scooter," the definition of "motorcycle" or "moped," as shown in sections 320.01(26) and (27), Florida Statutes, must be used as a guide to determine if the vehicle would be titled/registered or just registered.
- D. Any entity selling mopeds or selling motorcycles with a motor displacement of 50 CC's or less are NOT required to obtain a dealer's license.
- E. Each motorcycle/moped/motor scooter where any of the registrants are under 21 years of age must display a license plate that is unique in design and color.

III. OWNERSHIP DOCUMENTATION:

- A. Motorcycles (not mopeds) as defined in 320.01(26), Florida Statutes, are titled and registered pursuant to s. 319.20, Florida Statutes.
- B. Mopeds as defined in 320.01(27), Florida Statutes, are NOT titled, per s. 319.20, Florida Statutes; however, they are registered pursuant to s. 320.0803(1), Florida Statutes. A bill of sale, vehicle registration certificate, Manufacturer's Certificate of Origin, or an affidavit from the applicant certifying that he or she is the legal and rightful owner of the vehicle is required.
- C. Motorized disability access vehicles as defined in s. 320.01(33), Florida Statutes, are NOT titled; however, they are registered pursuant to s. 320.08035, Florida Statutes. A bill of sale, vehicle registration certificate, Manufacturer's Certificate of Origin, or an affidavit from the applicant certifying that he or she is the legal and rightful owner of the vehicle is required.

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IV. SALES TAX:

Sales tax is required when processing an application if the vehicle is not already in the applicant's name.

V. PROOF OF INSURANCE:

Proof of insurance is not required on motorcycles, mopeds, or disability access vehicles.

VI. FEES:

Applicants should submit the regular tax fees shown in the Tax Due and Credit Manual using the appropriate regular class codes, based on type of vehicle, trust fund fee from the Class Code/Fee Chart, Original License Plate fee, Decal on Demand fee, and Service fee (add branch fee, if applying through a county branch office). Refer to the Registration Fees and Flat taxes Distribution Chart for all applicable fees.

NOTE: The Initial Registration Fee is not required on motorcycles, mopeds, or disability access vehicles.

VII. RENEWALS AND TRANSFERS:

Renewals and transfers of these license plates may be processed at any county license plate agency.

VIII. REPLACEMENT LICENSE PLATES:

Replacement license plates may be issued by any county license plate agency upon submission of the following:

- A. A copy of the vehicle registration certificate.
- B. Form HSMV 83146, Application for Replacement License Plate, Validation Decal or Parking Permit, accurately completed.
- C. Fees: Replacement fee, Decal on Demand fee, Service fee (add branch fee, if applying through a county branch agency), Air Pollution Control fee, Reflectorization fee, Emergency Medical Services, Advanced Replacement fee and FRVIS fee. Refer to the Registration Fees and Flat taxes Distribution Chart for all applicable fees.
- D. When an applicant reports a license plate or decal as stolen to a law enforcement agency and attests that the license plate or decal has been reported as stolen on form HSMV 83146, no fee should be charged for the replacement license plate or decal.