

# Florida

## Department of Highway Safety and Motor Vehicles

### *Division of Motorist Services*

<b>PROCEDURE</b>	<b>SUBJECT:</b>
RS-61	MOTORCYCLES, MOPEDS, AUTOCYCLES, AND DISABILITY ACCESS VEHICLES

**DESCRIPTION AND USE:**  
 THIS PROCEDURE PROVIDES INFORMATION AND INSTRUCTIONS TO ASSIST TAX COLLECTOR EMPLOYEES, LICENSE PLATE AGENTS, AND THE DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES FOR THE ISSUANCE OF LICENSE PLATES FOR MOTORCYCLES, MOPEDS, AUTOCYCLES AND DISABILITY ACCESS VEHICLES.

**I. PROVISIONS OF LAW:**

**Section 316.2085, Florida Statutes**, provides that the license tag of a motorcycle or moped must be permanently affixed to the vehicle and remain clearly visible from the rear at all times. Any deliberate act to conceal or obscure the legibility of the license tag of a motorcycle is prohibited. 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 pays all required tolls.

**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.

**Section 320.08(1), Florida Statutes**, provides the taxing structure for these types of vehicles.

**Section 320.01(26), 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.

**Section 320.01(27), 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.

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***Revision(s) to this procedure: Provided reference in Section II, (G) to AV registration, and Section V, AV insurance requirements.***

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<b>EFFECTIVE DATE</b>	<b>REVISION DATE</b>	<b>PAGE #</b>
Immediately	07/01/19	RS-61-01

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**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**, states that each motorcycle registered to a person under 21 years of age must display a license plate that is unique in design and color.

2018 Legislation, House **Bill 215** amending 320.01, 320.02 and 320.03, Florida Statutes, requiring safety belt or child restraint usage by an operator or passenger of an autocycle; revises the term motor vehicle, including an autocycle in the definition of the term motorcycle; and authorizes a person to operate an autocycle without a motorcycle endorsement. (This paragraph becomes effective on July 1, 2018.)

**II. GENERAL INFORMATION:**

- A. All motorcycles, mopeds, autocycles 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(3), Florida Statutes) are not registered. However, bicycles motorized with gas motors (defined as a moped) are registered. See **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 CCs 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.
- F. Autocycle is a three-wheeled motorcycle that has two wheels in the front and one wheel in the back, is equipped with a roll cage or roll hoops, a seat belt for each occupant, antilock brakes, a steering wheel and seating that does not require the operator to straddle or sit astride it. An autocycle is manufactured in accordance with the applicable federal motorcycle safety standards in 49 C.F.R. part 571 by a manufacturer registered with the National Highway Traffic Safety Administration. (This paragraph becomes effective on July 1, 2018.)

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G. Fully autonomous vehicles (AVs) belonging to a fleet or being tested in a pilot program should be titled and registered in the company name with an FEID number. Government entities, such as state agencies, counties, cities and state universities utilizing AVs should title and register these vehicles in the same manner that they do their other vehicles. These vehicles are to be processed in the same manner as any other similar, equal or comparable motor vehicle. If the AV is a bus, process as a standard bus registration and title transaction with the correct corresponding Class Code (See [RS-56](#) and [TL-10](#)). For a passenger vehicle, see [RS-01](#) and for a motorcycle, see RS-61. **For AV registration requirements, see [TL-68](#).**

III. OWNERSHIP DOCUMENTATION:

- A. Motorcycles including autocycles, but 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 customer 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 customer certifying that he or she is the legal and rightful owner of the vehicle is required.

IV. SALES TAX:

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

V. PROOF OF INSURANCE:

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

**For AV insurance requirements, see [TL-68](#).**

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VI. FEES:

Customers 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.

The Initial Registration Fee is not required on motorcycles, mopeds, autocycles, 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 agent 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 a customer reports a license plate or decal as stolen to a law enforcement agency and provides proof in accordance with [RS-06](#), the customer should not be charged a replacement fee for the license plate or decal.

**HISTORICAL REVISIONS:**

7/9/2018 - Replaced photo of motorized disability access vehicle.

6/28/2018 - Added statutory information relating to autocycles with an effective date of

07/01/2018 - Added Exhibit A. Added Autocycles to VI Fees section. 4/4/18 Reviewed statutes, updated and added links. Added links to forms. Added Historical Revisions section.

07/14/2014 - Corrected statute numbers on pages 1 &2, and added additional information in II, B

**Exhibit A**



**Motorcycle**



**Autocycle**



**Moped**



**Motorized disability access vehicle**