



# ABATE of Florida Inc.



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BIKERS' RIGHTS

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## Florida Stiffer Penalties & Vertical Tags Update

March 2011 – As many of you know, ABATE of Florida, Inc.'s Bills, known by many as our "Stiffer Penalties" Bills, have been filed in the Florida House of Representatives (HB403) and the Florida Senate (SB608), and at the time of this writing the Senate version has already made it successfully through its first committee hearing. Our Bills hope to require more severe penalties to at-fault car/truck drivers causing accidents resulting in serious injuries or death of motorcyclists in Florida. Currently, some of these drivers are getting away with only a \$166 fine, if any at all. ABATE of Florida, Inc. feels strongly that motorcyclists' lives are worth much more than that.

Next, the issue with vertical tags on motorcycles in Florida has been a problem over the last few years. First, in 2009 the legislature made having a vertical tag hold the same penalties as driving 50 MPH over the speed limit. After conferring with Florida Legislators, it was determined that was not the intent of the new vertical tag language. However, when they made vertical tags legal in Florida last year, the additional requirement of affixing a toll transponder to your bike was added. After all this confusion, we believe that this issue may finally be put to rest this July.

ABATE of Florida, Inc. has been able to add an amendment to Senate Bill (SB) 1150, the Dept. of Highway Safety & Motor Vehicles' Bill. This additional language changes the current statute 316.2085(3) to *allow* a tag that is perpendicular to the ground (with the numbers reading from top to bottom) to be permanently affixed to a motorcycle. It also *removes* the requirement for a pre-paid toll transponder. The exact language of the proposed language is (underline is new language, ~~strikethrough~~ is deleted language):

316.2085 Riding on motorcycles or mopeds.—

(3) 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, inverted, reversed, or in any other way rendered to make the letters of the tag illegible from the rear while the vehicle is being operated. ~~No device for or method of concealing~~ Concealing or obscuring the legibility of the license tag of a motorcycle is prohibited ~~shall be installed or used~~. The license tag of a motorcycle or moped may be affixed horizontally or vertically to the ground so that the numbers and letters read from left to right or from top to bottom. ~~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.~~

This new language is not yet in effect; but is expected to become law in July 2011.

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