



A few months ago, I was sitting in my office when my cell rang. It was an associate calling from out of state with a magazine publisher on the line. The publisher asked “Hey, what ever happened to last year’s (2008) Florida HB 137, you know, that Vertical Tag law?” I gave him the Cliff Notes version, and continued with my work.

About two weeks ago, I was chatting with Scribe, ABATE of Florida, Inc.’s Legislative Trustee, when he told me a friend of his had just been pulled over in Naples for riding his bike that had its license plate mounted vertically. The biker had to have his bike towed and now has to appear in court.

I keep hearing about people calling their friends down here in the Sunshine State asking the same questions; “Can I ride in Florida with my chopper and its vertical tag?, If I can’t then I’m not coming to Bike Week!” With all these stories in mind, lets take a few minutes and break down what the final result is from the 2008-2009 Florida Legislative Session’s HB 137.

This bill was introduced by Republican Representative Carlos Lopez-Cantera of Miami during last year’s FL Legislative Session. Representative Lopez-Cantera’s original bill would inflict specific penalties on motorcycle riders, specifically sport bike riders, including a third time offender of reckless driving or speeding in excess of 30 MPH above the posted speed limit, would suspended the rider’s license for *TEN YEARS* and require the person to *FORFEIT THEIR MOTORCYCLE*. In addition, this bill *ONLY APPLIED TO MOTORCYCLES*. I know some don’t like the way bikers look, but this would be legally endorsed discrimination!

After looking deeper into the language of this bill, it included many penalties for different things, including having a tag (license plate) affixed to a motorcycle in any manner other than perfectly horizontal. ABATE of Florida Inc’s Delegation gave marching orders to its President & Lobbyist, James “Doc” Reichenbach, who proceeded to fight vigorously against this bill at the State Capitol. Many of ABATE of Florida, Inc’s almost 8,000 members notified their legislators explaining the obvious discrimination against motorcycle riders as well as the blatant potential government intrusion against individuals’ right to own a vehicle.

After all was said and done, ABATE of Florida, Inc., although not happy with the bill at all, ended up getting it modified to applying only after 50 MPH over the posted speed limit is reached, no vehicle forfeiture at all, and it now applies to *ALL MOTOR VEHICLES*.

What about the vertical/horizontal tag portion you ask. Well, we were told that it was supposed to have been taken care of. *HOWEVER*, in January 2009, ABATE of Florida, Inc. began hearing that local Sheriff’s Offices were going to levy a fine for a 2nd offense of the new State Statute 316.2085 (what HB 137 became) of \$2,648 for not having a horizontally mounted tag! Over *TWO THOUSAND DOLLARS!*

Not to worry. Doc Reichenbach made some phone calls and the committees that approved the bill admitted that the final language as it applies to motor vehicle tags was not what they intended. In the end, on June 19, 2009, Florida Governor Crist signed the amended bill into law, removing the “horizontal” portion.

To sum this all up: **YES, YOU CAN RIDE IN FLORIDA WITH A VERTICAL TAG ONCE AGAIN!**

Here’s the exact wording as it is printed in FL law:

316.2085 Section 4. Subsection (3) Riding on motorcycles or mopeds.—

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.

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