**From:** Briana Mims
**To:** rules@dot.nyc.gov
**Subject:** OPPOSITION TO NEWLY PROPOSED RULES - LICENSE PLATE DISPLAY
**Date:** Thursday, February 6, 2025 4:31:02 PM
**Attachments:** image001.png
image002.png
image004.png
**Importance:** High

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We fully support the concept of reducing and eliminating ghost plates, which do not pay their fair share as they hide behind unregistered plates. However, we believe there must be an amendment to the proposed rules to exclude Apportioned Plates (APP) organized in every state under the International Registration Plan. We also believe and suggest that commercial license plates also be exempt for this newly proposed rule – which goes too far in trying to reign in ghost plates.
Please note: vehicles registered in many states throughout our country, such as Florida, Indiana, Minnesota and NJ appear to have their own, rules as to how license plates must be displayed.
The rule should focus on ensuring plates are visible and in a **conspicuous** location for all vehicles as the Rules for the State of New York, for another important matter, only require parking ticket notices of violation to be placed in a conspicuous location i.e, not under a windshield wiper.
Please note that:

- Each state has its own vehicle regulations that cater to its unique needs (see below screen shots of exhibits to support our claim). For instance:
  - Florida has a maximum plate height requirement of 60 inches.
  - Indiana has no maximum plate height.
  - New York's 48-inch rule is specific to their needs, while other states, such as Minnesota and others have different standards.
- Most importantly, the Federal Motor Carrier Safety Administration, which we believe supersedes local rules, is shown below. For this reason alone the rules should be amended to conform with the federal regulations.

We further note that imposing NYC's 12"-48" height requirement on vehicles registered in other states would create unnecessary compliance burdens for vehicles already compliant with FMCSA's (Federal Motor Carrier Safety Administration) visibility standards, which again, appear to supersede any local Rule. The FMCSA requires license plates to be clearly visible from the rear but does not specify any maximum height. NYC's proposed rule eviscerates the federal mandate without adding any safety benefits, creating confusion, inconsistency, and safety hazards. The safety hazard clearly exists if vehicles coming into NYC have to pull over, to the side of the road, and physically modify the placement of the license plates or plates. We note for this official that NYC DOT goals are to ensure that fines are collected but, have nothing to do with promoting vehicular and pedestrian safety. In stark contrast, the FMSCA rules are designed specifically to promote traffic safety – nationwide
APP and Commercial vehicles from various states are already compliant with FMCSA's visibility standards and should not be required to move their plates to meet NYC's **additional** height restrictions. Changing plate positions for these vehicles would cause logistical and financial strain without improving safety. Wouldn't make since for a delivery company to stop on the bridge and/or tunnel to move their plates as they already are in compliance with their registration state.
While it is important for plates to be visible and unobstructed, NYC should not impose regulations that conflict with federal guidelines.
We strongly urge you to amend the proposed rule to respect the regulations of the FMSCA, as well as other states, and to focus on ensuring visibility without imposing additional burdens on interstate as well as intrastate regulations. Below are screenshots of examples that were raised in my comments above:

**EXHIBIT A:**

flsenate.gov/Laws/Statutes/2012/0316.605#:~:text=No%20vehicle%20license%20plate%20may,as%20provided%20in%20chapter%20318.

FloridaHouse.gov | Mobile Site — Senate Tracker: Sign Up | Login

THE FLORIDA SENATE — Go to Bill: Bill # 2025 Go — Find Statutes: 2012 Search Term Chapter Find Search Site Search

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Home > Laws > 2012 Florida Statutes > Title XXIII > Chapter 316 > Section 605

## 2012 Florida Statutes

| Title XXIII<br>MOTOR VEHICLES | Chapter 316<br>STATE UNIFORM TRAFFIC CONTROL<br>Entire Chapter | SECTION 605<br>Licensing of vehicles. |
|---|---|---|

**316.605 Licensing of vehicles.–**
(1) Every vehicle, at all times while driven, stopped, or parked upon any highways, roads, or streets of this state, shall be licensed in the name of the owner thereof in accordance with the laws of this state unless such vehicle is not required by the laws of this state to be licensed in this state and shall, except as otherwise provided in s. 320.0706 for front-end registration license plates on truck tractors and s. 320.086(5) which exempts display of license plates on described former military vehicles, display the license plate or both of the license plates assigned to it by the state, one on the rear and, if two, the other on the front of the vehicle, each to be securely fastened to the vehicle outside the main body of the vehicle not higher than 60 inches and not lower than 12 inches from the ground and no more than 24 inches to the left or right of the centerline of the vehicle, and in such manner as to prevent the plates from swinging, and all letters, numerals, printing, writing, and other identification marks upon the plates regarding the word "Florida," the registration decal, and the alphanumeric designation shall be clear and distinct and free from defacement, mutilation, grease, and other obscuring matter, so that they will be plainly visible and legible at all times 100 feet from the rear or front. Except as provided in s. 316.2085(3), vehicle license plates shall be affixed and displayed in such a manner that the letters and numerals shall be read from left to right parallel to the ground. No vehicle license plate may be displayed in an inverted or reversed position or in such a manner that the letters and numbers and their proper sequence are not readily identifiable. Nothing shall be placed upon the face of a Florida plate except as permitted by law or by rule or regulation of a governmental agency. No license plates other than those furnished by the state shall be used. However, if the vehicle is not required to be licensed in this state, the license plates on such vehicle issued by another state, by a territory, possession, or district of the United States, or by a foreign country, substantially complying with the provisions hereof, shall be considered as complying with this chapter. A violation of this subsection is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.
(2) Any commercial motor vehicle, as defined in s. 316.003(66), operating over the highways of this state with an expired registration, with no registration from this or any other jurisdiction, or with no registration under the applicable provisions of chapter 320 shall be in violation of s. 320.07(3) and shall subject the owner or operator of such vehicle to the penalty provided. In addition, a commercial motor vehicle found in violation of this section may be detained by any law enforcement officer until the owner or operator produces evidence that the vehicle has been properly registered and that any applicable delinquent penalties have been paid.

**Quick Links**
- General Laws Conversion Table (2024) [PDF]
- Florida Statutes Definitions Index (2024) [PDF]
- Table of Section Changes (2024) [PDF]
- Preface to the Florida Statutes (2024) [PDF]
- Table Tracing Session Laws to Florida Statutes (2024) [PDF]
- Index to Special and Local Laws (1971-2024) [PDF]
- Index to Special and Local Laws (1845-1970) [PDF]
- Statute Search Tips

**EXHIBIT B:**

in.gov/bmv/registration-plates/license-plates-overview/license-plate-frame-and-sticker-display-requirements/#:~:text=License%20Plate%20Display%20Requirements,as%20plate%20frames%20or%20covers

IN.gov An official website of the Indiana State Government — Accessibility Settings | Language Translation | Governor Mike B

MENU — Bureau of Motor Vehicles — Search BMV

# License Plate Frame and Sticker Display Requirements

Registration & Plates > License Plates Overview > License Plate Frame and Sticker Display Requirements

## License Plate Display Requirements

License plates must be displayed as follows:

- On the rear of the vehicle
- With all text, numbers, and stickers fully visible and not obstructed or obscured by any part of the vehicle or other foreign materials, such as plate frames or covers
- Securely fastened in a horizontal position at a height of at least 12 inches from the ground, measuring form the bottom of the license plate

A tractor, dump truck, or a truck with a rear-mounted forklift or a mechanism to carry a rear-mounted forklift or implement must display a license plate on the front of the vehicle.

An interim license plate issued or used by the BMV, a dealer, or manufacturer must be displayed on the rear of the vehicle or affixed on the left side of a window that is facing the rear of the motor vehicle and is clearly visible and unobstructed.

*Illegal License Plate Frame*

*Legal License Plate Frame*

## Sticker Display Requirements

**EXHIBIT C: EMAIL FROM FEDERAL MOTOR CARRIER NYC DOT**

**From:** FMCNYDOC <FMCNYDOC@dot.gov>
**Sent:** Thursday, February 6, 2025 7:50 AM
**To:** Briana Mims <Briana@parkingticket.com>
**Subject:** RE: TIME SENSITIVE - the federal regulation about license plate placement not NYC

Thes links below should help you with your research of our regulations.

https://www.ecfr.gov/current/title-49/subtitle-B/chapter-III/subchapter-B
https://csa.fmcsa.dot.gov/safetyplanner/

AI Overview

According to the Federal Motor Vehicle Safety Standard (FMVSS) 108, the federal regulation regarding license plate placement on a CMV (Commercial Motor Vehicle) states that the plate should be mounted at the rearmost part of the vehicle, with a maximum upward angle of 30 degrees, ensuring it is visible and not obstructed by any equipment; however, specific state requirements may vary regarding exact placement and lighting of the plate.

**Key points about license plate placement on CMVs:**

**Placement:**
The license plate should be positioned at the rear of the vehicle, making it easily visible to other drivers.

**Angle:**
The plate can be mounted at a maximum upward angle of 30 degrees from vertical.

**Visibility:**
Ensure the plate is not blocked by any vehicle equipment.

**State regulations:**
While federal guidelines exist, individual states might have specific requirements regarding license plate placement on CMVs.

**EXHIBIT D:**

flhsmv.gov/florida-highway-patrol/commercial-vehicle-enforcement/safety-enforcement/registration-enforcement/

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REGULATIONS

- Safety Enforcement
- Hazardous Materials Enforcement
- Weight Enforcement
- Size and Permit Enforcement
- Registration Enforcement
- CDL Enforcement
- Electronic Logging Devices
- Florida Hours of Service Rules
- Florida USDOT Numbers

## International Registration Plan (IRP)

Florida is a member of the International Plan. The International Registration Plan (IRP) is a reciprocal agreement that authorizes the proportional registration among the jurisdictions (states) of commercial motor vehicles. The IRP is a reciprocal agreement which serves to promote and encourage the fullest possible use of the highway system by authorizing the proportional registration of Commercial Motor Vehicles (CMV), and the recognition of CMVs proportionally registered in other states and Canadian provinces, which are referred to as jurisdictions. The purpose of the IRP is to allow you to purchase only one license plate which registers your vehicle in all member jurisdictions in which you declare that you will be operating. All CMVs based in Florida and engaged in interstate commerce are required to be registered under the provisions of the IRP and must display apportioned license plates. Section 320.01, Florida Statutes defines an Apportionable Vehicle as:

- Any vehicle which is not owned or operated by a governmental entity, which uses special fuel or motor fuel on the public highways, and which has a gross weight which exceeds 26,000 pounds; or
- Has 3 or more axles, regardless of weight; or
- Is a power unit and trailer with a combined gross vehicle weight which exceeds 26,000 pounds.

To qualify as a Florida-based apportionable vehicle:

- The vehicle must be a part of a declared fleet that operates or intends to operate in Florida and at least one other IRP jurisdiction transporting persons or property; and

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