



Florida Department of Transportation

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February 16, 2009

This Memo Has Expired

DCE MEMORANDUM NO. 02-09
(FHWA Approved: 2-13-09)

TO: DISTRICT CONSTRUCTION ENGINEERS

FROM: David A. Sadler, Director, Office of Construction 

COPIES: Bob Burleson, Chris Richter (FHWA)

SUBJECT: CLARIFICATION REGARDING REQUIREMENTS FOR MOTOR
VEHICLE REGISTRATION AND CERTIFICATION

The Office of Construction has received several inquiries from District construction personnel, as well as Contractors seeking clarification about requirements for Motor Vehicle registration and the required certification. The specification states:

7-23 Contractors' Motor Vehicle Registration.

The Contractor shall provide the Department with proof that all motor vehicles operated or caused to be operated by such Contractor is registered in compliance with Chapter 320 of the Florida Statutes. Submit such proof of registration in the form of a notarized affidavit to the Department.

The Department will not make payment to the Contractor until the required proof of registration is on file with the Department.

If the Contractor fails to register any motor vehicle that he operates in Florida, pursuant to Chapter 320 of the Florida Statutes, the Department may disqualify the Contractor from bidding, or the Department may suspend and revoke the Contractor's certificates of qualification.

Questions have been asked about vehicles which display an "apportioned tag", which are issued thru an International Registration Program (IRP). Florida is a participating state in the IRP process. Section 320.01 Florida Statutes defines the terms as follows:

32) "Apportioned motor vehicle" means any motor vehicle which is required to be registered, or with respect to which an election has been made to register it, under the International Registration Plan.

(24) "International Registration Plan" means a registration reciprocity agreement among states of the United States and provinces of Canada providing for payment of license fees on the basis of fleet miles operated in various jurisdictions.

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(25) "Apportionable vehicle" means any vehicle, except recreational vehicles, vehicles displaying restricted plates, city pickup and delivery vehicles, buses used in transportation of chartered parties, and government-owned vehicles, which is used or intended for use in two or more member jurisdictions that allocate or proportionally register vehicles and which is used for the transportation of persons for hire or is designed, used, or maintained primarily for the transportation of property and:

- (a) Is a power unit having a gross vehicle weight in excess of 26,001 pounds;
- (b) Is a power unit having three or more axles, regardless of weight; or
- (c) Is used in combination, when the weight of such combination exceeds 26,001 pounds gross vehicle weight.

Vehicles, or combinations thereof, having a gross vehicle weight of 26,001 pounds or less and two-axle vehicles may be proportionally registered.

Therefore the Office of Construction has determined that Contractors vehicles displaying an apportioned tag and displaying proper decals meet the intent of the specifications and are acceptable to be on the project site. Also, Contractors may appropriately submit the Notarized Affidavit under these circumstances. This direction does not change the requirement of the specifications, that all motor vehicles must be registered in the State of Florida, only that the IRP satisfies this requirement. Other vehicles displaying other state tags do not comply with the specifications. We will update CPAM Chapter 5 in the near future to include this determination. If you have any questions, please call Jerry Rudd at (850) 414-5268.

DS/rw