

28.22 USING A LICENSE PLATE OBSCURING DEVICE

§ 320.262(4), Fla. Stat.

To prove the crime of Using a License Plate Obscuring Device, the State must prove the following two elements beyond a reasonable doubt:

- 1. (Defendant) used a license plate obscuring device.**
- 2. [He] [She] did so to assist in committing a crime or in escaping from or avoiding detection or arrest in connection with committing a crime.**

A “license plate obscuring device” means a manual, electronic, or mechanical device designed or adapted to be installed on a motor vehicle for the purpose of:

- a. Switching between two or more license plates to permit a motor vehicle operator to change the license plate displayed on the motor vehicle;**
 - b. Hiding a license plate from view by flipping the license plate so that the license plate number is not visible;**
 - c. Covering, obscuring, or otherwise interfering with the legibility, angular visibility, or detectability of the primary features or details, including the license plate number or validation sticker, on the license plate;**
- or**
- d. Interfering with the ability to record the primary features or details, including the license plate number or validation sticker, on the license plate.**

§ 320.01, Fla. Stat. contains additional definitions of ‘motor vehicle’ and exclusions which should be given if applicable.

“Motor vehicle” means an automobile, motorcycle, truck, trailer, semitrailer, truck tractor and semitrailer combination, or any other vehicle operated on the roads of this state, used to transport persons or property, and propelled by power other than muscular power.

Lesser Included Offense

USING A LICENSE PLATE OBSCURING DEVICE— 320.262(4)

CATEGORY ONE	CATEGORY TWO	FLA. STAT.	INS. NO.
Possession of a License Plate Obscuring Device		320.262	--
	Attempt	777.04(1)	5.1

Comment

This instruction was adopted on March 20, 2026.