



Highway & Waterway Safety Subcommittee

MEETING PACKET

Wednesday, January 20, 2016
9:00 AM – 11:00 AM
116 (Knott Building)

Steve Crisafulli
Speaker

W. Gregory Steube
Chair

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Highway & Waterway Safety Subcommittee

Start Date and Time: Wednesday, January 20, 2016 09:00 am
End Date and Time: Wednesday, January 20, 2016 11:00 am
Location: 116 Knott Building
Duration: 2.00 hrs

Consideration of the following proposed committee bill(s):

PCB HWSS 16-03 -- Issuance of Specialty License Plates

Consideration of the following bill(s):

HB 511 Special License Plates by Boyd
HB 663 Specialty License Plates/Support Our Constitution by Cortes, J.
HB 733 Specialty License Plates/Vision For Excellence by Fullwood
HB 801 Specialty License Plates by Ingram
HB 567 Specialty License Plates by Miller
HB 1013 Specialty License Plates/Safe & Free Florida by Sullivan
HB 1101 Specialty License Plates by Slosberg
HB 1103 Specialty License Plates by Latvala
HB 1141 Specialty License Plates/Ronald Reagan by Baxley

Pursuant to rule 7.12, the filing deadline for amendments to bills on the agenda by a member who is not a member of the committee or subcommittee considering the bill is 6:00 p.m., Tuesday, January 19, 2016.

By request of the Chair, all Subcommittee members are asked to have amendments to bills on the agenda submitted to staff by 6:00 p.m., Tuesday, January 19, 2016.

NOTICE FINALIZED on 01/15/2016 4:17PM by Lawhon.Amanda

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB HWSS 16-03 Specialty License Plate Program
SPONSOR(S): Highway & Waterway Safety Subcommittee
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Highway & Waterway Safety Subcommittee		Whittaker	Smith

SUMMARY ANALYSIS

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates.

Presently, there are over 120 specialty license plates available for purchase in Florida. Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees. The annual use fees are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to statutorily designated organizations in support of a particular cause or charity.

Only the Legislature may create new specialty license plates. If a specialty license plate is created by law, the following requirements must then be met:

- Within 60 days, the organization must submit an art design, in a medium prescribed by DHSMV.
- Within 120 days, DHSMV must establish a method to issue a specialty license plate voucher to allow for the pre-sale of the specialty plate.
- Within 24 months after the voucher is established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin. If this requirement is not met, the plate is deauthorized and DHSMV must discontinue development of the plate and issuance of the vouchers.

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 1,000 plates (does not apply to collegiate license plates).

The proposed committee bill raises the minimum pre-sale voucher requirement for a specialty plate from 1,000 to 4,000 before manufacturing of that specialty plate can begin.

The proposed committee bill further provides that, effective July 1, 2018, the department must discontinue the issuance of a specialty plate if the number of valid specialty plate registrations falls below 4,000 for at least 12 consecutive months. A warning letter shall be mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 4,000 plates. Collegiate specialty plates continue to be exempt from this requirement.

The bill has no fiscal impact on state funds.

The bill provides that unless otherwise expressly provided, the effective date is July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Specialty License Plates in General

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates.¹ Today, there are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.² The collected fees are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to statutorily designated organizations in support of a particular cause or charity. Vehicles registered under the International Registration Plan, a commercial truck required to display two license plates, or truck tractors are not eligible for specialty license plates.³

Only the Legislature may create new specialty license plates. If a specialty license plate is created by law, the following requirements must then be met:

- Within 60 days, the organization must submit an art design, in a medium prescribed by DHSMV.
- Within 120 days, DHSMV must establish a method to issue a specialty license plate voucher to allow for the pre-sale of the specialty plate.
- Within 24 months after the voucher is established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin. If this requirement is not met, the plate is deauthorized and DHSMV must discontinue development of the plate and issuance of the vouchers.

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 1,000 plates (does not apply to collegiate license plates).⁴

Organizations in receipt of specialty license plate revenue must adhere to certain accountability requirements found in statute. These requirements include an annual attestation document affirming, under penalty of perjury, that funds received have been spent in accordance with applicable statutes.⁵

A moratorium on the issuance of specialty license plates was imposed by lawmakers in 2008, originally set to expire in 2011; it has been extended to July 1, 2016.⁶

Proposed Changes

The bill amends s. 320.08053, F.S., increasing the minimum voucher sales from 1,000 to 4,000 before manufacturing of a specialty license plate may begin.

¹ Ch. 86-88, Laws of Florida

² Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited November 10, 2015)

³ s. 320.08056(2), F.S.

⁴ s. 320.08056 (8)(a), F.S.

⁵ s. 320.08062, F. S.

⁶ Ch. 2008-176, Laws of Fla., as amended by Ch. 2010-223 and Ch. 2014-216, Laws of Fla.

The bill amends s. 320.08056, F.S., providing that effective July 1, 2018, DHSMV must discontinue the issuance of a specialty license plate if the number of valid specialty plate registrations falls below 4,000 for at least 12 consecutive months. A warning letter shall be mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 4,000 plates.

As of November 6, 2015, there were 28 specialty plates with less than 4,000 active registrations.⁷ This count does not include collegiate plates which are exempt from the minimum active plate requirement.

B. SECTION DIRECTORY:

- Section 1** Amends s. 320.08053, F.S., increasing the minimum voucher sales from 1,000 to 4,000 before manufacturing of a specialty license plate may begin.
- Section 2** Amends s. 320.08056, F.S., providing that effective July 1, 2018, DHSMV must discontinue the issuance of a specialty license plate if the number of valid specialty plate registrations falls below 4,000 for at least 12 consecutive months.
- Section 3** Provides that unless otherwise expressly provided, the effective date is July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:
None
2. Expenditures:
None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:
None
2. Expenditures:
None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Revenues generated from the sale of specialty license plates are distributed to various organizations. Should a specialty license plate be deauthorized the recipient organization would no longer receive distributions from the sale of the specialty license plate.

D. FISCAL COMMENTS:

None

III. COMMENTS

⁷ Email from the Florida Department of Highway Safety and Motor Vehicles on file with the Highway and Waterway Safety Subcommittee.

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

ms

PCB HWSS 16-03

ORIGINAL

2016

1 A bill to be entitled
 2 An act relating to issuance of specialty license
 3 plates; amending s. 320.08053, F.S.; revising presale
 4 requirements for issuance of a specialty plate;
 5 amending s. 320.08056, F.S.; revising conditions for
 6 discontinuing issuance of a specialty plate; providing
 7 effective dates.

8
 9 Be It Enacted by the Legislature of the State of Florida:

10
 11 Section 1. Subsection (2) of section 320.08053, Florida
 12 Statutes, is amended to read:

13 320.08053 Establishment of Requirements ~~for requests to~~
 14 ~~establish~~ specialty license plates.-

15 (2) (a) Within 120 days following the specialty license
 16 plate becoming law, the department shall establish a method to
 17 issue a specialty license plate voucher to allow for the presale
 18 of the specialty license plate. The processing fee as prescribed
 19 in s. 320.08056, the service charge and branch fee as prescribed
 20 in s. 320.04, and the annual use fee as prescribed in s.
 21 320.08056 shall be charged for the voucher. All other applicable
 22 fees shall be charged at the time of issuance of the license
 23 plates.

24 (b) Within 24 months after the presale specialty license
 25 plate voucher is established, the approved specialty license
 26 plate organization must record with the department a minimum of

27 4,000 ~~1,000~~ voucher sales before manufacture of the license
 28 plate may begin ~~commence~~. If, at the conclusion of the 24-month
 29 presale period, the minimum sales requirement ~~has requirements~~
 30 ~~have~~ not been met, the specialty plate is deauthorized and the
 31 department shall discontinue development of the plate and
 32 discontinue issuance of the presale vouchers. Upon
 33 deauthorization of the license plate, a purchaser of the license
 34 plate voucher may use the annual use fee collected as a credit
 35 towards any other specialty license plate or apply for a refund
 36 on a form prescribed by the department.

37 Section 2. Effective July 1, 2018, paragraph (a) of
 38 subsection (8) of section 320.08056, Florida Statutes, is
 39 amended to read:

40 320.08056 Specialty license plates.-

41 (8) (a) The department must discontinue the issuance of an
 42 approved specialty license plate if the number of valid
 43 specialty plate registrations falls below 4,000 ~~1,000~~ ~~plates~~ for
 44 at least 12 consecutive months. A warning letter shall be mailed
 45 to the sponsoring organization following the first month in
 46 which the total number of valid specialty plate registrations is
 47 below 4,000 ~~1,000~~ ~~plates~~. This paragraph does not apply to
 48 collegiate license plates established under s. 320.08058(3) or
 49 license plates of institutions in the State University System.

50 Section 3. Except as otherwise expressly provided in this
 51 act, this act shall take effect July 1, 2016.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 511 Special License Plates
SPONSOR(S): Boyd
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Highway & Waterway Safety Subcommittee		Whittaker	Smith
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a Bronze Star special use license plate for recipients of the Bronze Star medal who provide proof of their qualification. The license plate will be stamped with the term "Bronze Star" and a likeness of the related campaign medal. Revenue generated from the sale of the Bronze Star special use license plate will be deposited into the Grants and Donations Trust Fund and the State Homes for Veterans Trust Fund to support the State Veterans Homes Program.

The bill also redirects money received from the sale of the Woman Veteran license plates to be deposited into the Grants and Donations Trust Fund. All the money must be expended solely for the purpose of creating and implementing programs to benefit women veterans.

The bill reorganizes and renumbers s. 320.089, F.S., relating to special license plates for military service members, veterans, and Pearl Harbor Survivors.

According to DHSMV, the bill will have a negative but insignificant fiscal impact to state expenditures. See fiscal comments.

The bill could have a positive, indeterminate impact on the Grants and Donations Trust Fund and the State Homes for Veterans Trust Fund with the money received from the sale of the Woman Veteran license plate and the sale of the new Bronze Star special use license plate.

The bill provides an effective date of July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Military Special License Plates

There are currently 21 special use license plates authorized in s. 320.089, F.S., available to military service members or veterans for the following types of service:

- Veteran of the United States Armed Forces;
- Active or retired member of the Florida National Guard;
- Survivor of the attack on Pearl Harbor;
- Recipient of the Purple Heart Medal;
- Active or retired member of any branch of the United States Armed Forces Reserve;
- Recipient of the Combat Infantry Badge;
- Recipient of the Combat Medical Badge;
- Recipient of the Combat Action Badge;
- Former Prisoner of War;
- Veteran of the Korean War;
- Veteran of the Vietnam War;
- Service member or veteran of Operation Desert Shield;
- Service member or veteran of Operation Desert Storm;
- Service member or veteran of Operation Enduring Freedom;
- Service member or veteran of Operation Iraqi Freedom;
- Recipient of the Combat Action Ribbon;
- Recipient of the Air Force Combat Action Medal;
- Recipient of the Distinguished Flying Cross;
- World War II Veteran;
- Woman Veteran;
- Navy Submariner.

Special use license plates authorized under s. 320.089 (1)(a), F.S., are each stamped with words consistent with the type of special use plate issued. A likeness of the related campaign medal or badge appears on the plate followed by the plates serial number.

Applicants for special use license plates in s. 320.089, F.S., are required to pay the annual license tax in s. 320.08, F.S., with the exception of certain disabled veterans who qualify for the Pearl Harbor, Purple Heart, or Prisoner of War plate, to whom such plates are issued at no cost.¹ The first \$100,000 of the general revenue generated annually from the issuance of special use plates is deposited into the Grants and Donations Trust Fund under the Veterans' Nursing Homes of Florida Act, as described in s. 296.38(2), F.S.² Any additional general revenue is deposited into the State Homes for Veterans Trust Fund and used to construct, operate, and maintain domiciliary and nursing homes for veterans.³ For fiscal year 2013-2014 the total revenue from these plates was \$2,087,743.⁴

¹ S. 320.089(2)(a), F.S.

² S. 320.089(1)(b), F.S.

³ Id.

⁴ Florida Department of Veterans' Affairs, 2015 Agency Bill Analysis: SB 112 on file with the Highway and Waterway Safety Subcommittee

Woman Veteran license plates

Currently, any revenue generated from the sale of the Woman Veteran license plates must be deposited into the Operations and Maintenance Trust Fund administered by the Department of Veterans' Affairs and must be used solely for the purpose of creating and implementing programs to benefit women veterans.⁵

Proposed Change

Woman Veteran License Plate

The bill amends s. 296.11, F.S., and s. 296.38, F.S., redirecting money received from the sale of the Woman Veteran license plates be deposited into the Grants and Donations Trust Fund. All the money must be expended solely for the purpose of creating and implementing programs to benefit women veterans.

Bronze Star License Plate

The bill amends s. 320.089, F.S., authorizing the Department of Highway Safety and Motor Vehicles (DHSMV) to create the Bronze Star special use license plate for recipients of the Bronze Star medal who provides proof of their qualification. The license plate will be stamped with the term "Bronze Star" and a likeness of the related campaign medal. Revenue generated from the sale of the Bronze Star special use license plate will be administered the same as the existing special use license plates in s. 320.089, F.S., and deposited into the Grants and Donations Trust Fund and the State Homes for Veterans Trust Fund to support the State Veterans Homes Program. The bill also requires money received from the sale of the Woman Veteran license plates be deposited into the Grants and Donations Trust Fund.

The Bronze Star medal was authorized by Executive Order on February 4, 1944, and is awarded to a person in any branch of the military service who, while serving in any capacity with the Armed Forces of the United States on or after December 7, 1941, shall have distinguished himself by heroic or meritorious achievement or service, not involving participation in aerial flight, in connection with military operations against an armed enemy.⁶

Reorganize and Renumber

The bill reorganizes and renumbers s. 320.089, F.S., relating to special license plates for military service members, veterans, and Pearl Harbor Survivors.

B. SECTION DIRECTORY:

- | | |
|------------------|---|
| Section 1 | Amends s. 296.11, F.S., requiring moneys received from the sale of Woman Veteran license plates to be used for certain purposes. |
| Section 2 | Amends s. 296.38, F.S., requiring moneys received from the sale of Woman Veteran license plates to be used for certain purposes. |
| Section 3 | Amends s. 320.089, F.S., providing for a special license plate to be issued to a recipient of the Bronze Star; revising disposition of moneys received from the sale of Woman Veteran license plates. |
| Section 4 | Provides an effective date of July 1, 2016. |

⁵ s. 320.089(1)(c), F.S.

⁶ Department of the Air Force, *Fact Sheet*, http://www.afpc.af.mil/library/factsheets/factsheet_print.asp?fsID=7771&page=1 (last visited November 17, 2015)

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill could have a positive, indeterminate fiscal impact on the Grants and Donations Trust Fund and the State Homes for Veterans Trust Fund.

2. Expenditures:

DHSMV estimates an initial startup cost of \$2,882 for the creation and manufacture of the new Bronze Star license plate. DHSMV also estimates that 138 programming hours will be required for implementation at an estimated cost of \$5,520.⁷

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The Bronze Star special use license plate would be available to a new group of registrants who are recipients of the Bronze Star medal.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

⁷ Department of Highway Safety and Motor Vehicles, Agency Analysis of 2016 Senate Bill 518, p.5 (Nov. 12, 2015) (On file with the House Highway and Waterway Safety Subcommittee).

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to special license plates; amending
 3 ss. 296.11 and 296.38, F.S.; requiring moneys received
 4 from the sale of Woman Veteran license plates to be
 5 used for certain purposes; amending s. 320.089, F.S.;
 6 providing for a special license plate to be issued to
 7 a recipient of the Bronze Star; revising disposition
 8 of moneys received from the sale of Woman Veteran
 9 license plates; providing an effective date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Subsection (3) of section 296.11, Florida
 14 Statutes, is renumbered as subsection (4), and a new subsection
 15 (3) is added to that section to read:

16 296.11 Funds of home and disposition of moneys.—

17 (3) All moneys received pursuant to s. 320.089 from the
 18 sale of Woman Veteran license plates shall be deposited into the
 19 Grants and Donations Trust Fund. All such moneys must be
 20 expended solely for the purpose of creating and implementing
 21 programs to benefit women veterans.

22 Section 2. Subsection (2) of section 296.38, Florida
 23 Statutes, is amended to read:

24 296.38 Funds of home and disposition of moneys.—

25 (2) (a) The home shall be empowered to receive and accept
 26 gifts, grants, and endowments in the name of the home. All such

27 | gifts, grants, and endowments are to be used for the benefit of
 28 | the home and its residents. The administrator, together with the
 29 | director, shall have the authority to determine how these gifts,
 30 | grants, and endowments could best benefit the home and its
 31 | residents unless the benefactor requests or instructs that the
 32 | gift, grant, or endowment be used for a specific purpose. The
 33 | home shall deposit all moneys received pursuant to this
 34 | subsection into the Grants and Donations Trust Fund. Except as
 35 | provided in paragraph (b), moneys in the Grants and Donations
 36 | Trust Fund shall be expended for the common benefit of the
 37 | residents of the home, such as recreational equipment, improved
 38 | facilities, recreational supplies, and goods and services
 39 | offered or available to all residents.

40 | (b) All moneys received pursuant to s. 320.089 from the
 41 | sale of Woman Veteran license plates shall be deposited into the
 42 | Grants and Donations Trust Fund. All such moneys must be
 43 | expended solely for the purpose of creating and implementing
 44 | programs to benefit women veterans.

45 | Section 3. Subsection (1) of section 320.089, Florida
 46 | Statutes, is amended to read:

47 | ~~320.089 Veterans of the United States Armed Forces;~~
 48 | ~~members of National Guard; survivors of Pearl Harbor; Purple~~
 49 | ~~Heart medal recipients; active or retired United States Armed~~
 50 | ~~Forces reservists; Combat Infantry Badge, Combat Medical Badge,~~
 51 | ~~or Combat Action Badge recipients; Combat Action Ribbon~~
 52 | ~~recipients; Air Force Combat Action Medal recipients;~~

53 ~~Distinguished Flying Cross recipients; former prisoners of war;~~
 54 ~~Korean War Veterans; Vietnam War Veterans; Operation Desert~~
 55 ~~Shield Veterans; Operation Desert Storm Veterans; Operation~~
 56 ~~Enduring Freedom Veterans; Operation Iraqi Freedom Veterans;~~
 57 ~~Women Veterans; World War II Veterans; and Navy Submariners;~~
 58 Special license plates for military service members, veterans,
 59 and Pearl Harbor Survivors; fee.--

60 (1)(a) Upon application to the department and payment of
 61 the license tax for the vehicle as provided in s. 320.08, a
 62 resident of the state who owns or leases ~~Each owner or lessee of~~
 63 ~~an automobile or truck for private use or recreational vehicle~~
 64 ~~as specified in s. 320.08(9)(c) or (d), which is not used for~~
 65 ~~hire or commercial use, shall be issued a license plate pursuant~~
 66 ~~to the following if the applicant provides the department with~~
 67 ~~proof he or she meets the qualifications listed in this section~~
 68 ~~for the applicable license plate:~~

69 1. A person released or discharged from any branch ~~who is~~
 70 ~~a resident of the state and a veteran of the United States Armed~~
 71 ~~Forces shall be issued a license plate stamped with the term~~
 72 "Veteran" or, a "Woman Veteran" followed by the serial number of
 73 the license plate.

74 2. A World War II Veteran shall be issued a license plate
 75 stamped with the term "WWII Veteran" followed by the serial
 76 number of the license plate.

77 4. A Navy Submariner shall be issued a license plate
 78 stamped with the term "Navy Submariner" followed by the serial

79 number of the license plate.

80 5. An active or retired member of the Florida National
 81 Guard shall be issued a license plate stamped with the term
 82 "National Guard" followed by the serial number of the license
 83 plate.

84 6. A member of the Pearl Harbor Survivors Association or
 85 other person on active military duty in Pearl Harbor on December
 86 7, 1941, shall be issued a license plate stamped with the term
 87 "Pearl Harbor Survivor" followed by the serial number of the
 88 license plate. ~~a survivor of the attack on Pearl Harbor,~~

89 7. A recipient of the Purple Heart medal shall be issued a
 90 license plate stamped with the term "Combat-wounded Veteran"
 91 followed by the serial number of the license plate. The Purple
 92 Heart plate may have the term "Purple Heart" stamped on the
 93 plate and the likeness of the Purple Heart medal appearing on
 94 the plate.

95 8. An active or retired member of any branch of the United
 96 States Armed Forces Reserve shall be issued a license plate
 97 stamped with the term "U.S. Reserve" followed by the serial
 98 number of the license plate.

99 9. A member of the Combat Infantrymen's Association, Inc.,
 100 or a recipient of the Combat Infantry Badge, Combat Medical
 101 Badge, Combat Action Badge, Combat Action Ribbon, or Air Force
 102 Combat Action Medal shall be issued a license plate stamped with
 103 the term "Combat Infantry Badge," "Combat Medical Badge,"
 104 "Combat Action Badge," "Combat Action Ribbon," or "Air Force

105 Combat Action Medal," as appropriate, and a likeness of the
 106 related campaign medal or badge, followed by the serial number
 107 of the license plate.

108 10. A recipient of the, ~~or~~ Distinguished Flying Cross
 109 shall be issued a license plate stamped with the term
 110 "Distinguished Flying Cross" and a likeness of the Distinguished
 111 Flying Cross followed by the serial number of the license plate.

112 11. A recipient of the Bronze Star shall be issued a
 113 license plate stamped with the term "Bronze Star" and a likeness
 114 of the Bronze Star followed by the serial number of the license
 115 plate.~~, upon application to the department, accompanied by proof~~
 116 ~~of release or discharge from any branch of the United States~~
 117 ~~Armed Forces, proof of active membership or retired status in~~
 118 ~~the Florida National Guard, proof of membership in the Pearl~~
 119 ~~Harbor Survivors Association or proof of active military duty in~~
 120 ~~Pearl Harbor on December 7, 1941, proof of being a Purple Heart~~
 121 ~~medal recipient, proof of active or retired membership in any~~
 122 ~~branch of the United States Armed Forces Reserve, or proof of~~
 123 ~~membership in the Combat Infantrymen's Association, Inc., proof~~
 124 ~~of being a recipient of the Combat Infantry Badge, Combat~~
 125 ~~Medical Badge, Combat Action Badge, Combat Action Ribbon, Air~~
 126 ~~Force Combat Action Medal, or Distinguished Flying Cross, and~~
 127 ~~upon payment of the license tax for the vehicle as provided in~~
 128 ~~s. 320.08, shall be issued a license plate as provided by s.~~
 129 ~~320.06 which, in lieu of the serial numbers prescribed by s.~~
 130 ~~320.06, is stamped with the words "Veteran," "Woman Veteran,"~~

131 ~~"WWII Veteran," "Navy Submariner," "National Guard," "Pearl~~
 132 ~~Harbor Survivor," "Combat-wounded veteran," "U.S. Reserve,"~~
 133 ~~"Combat Infantry Badge," "Combat Medical Badge," "Combat Action~~
 134 ~~Badge," "Combat Action Ribbon," "Air Force Combat Action Medal,"~~
 135 ~~or "Distinguished Flying Cross," as appropriate, and a likeness~~
 136 ~~of the related campaign medal or badge, followed by the serial~~
 137 ~~number of the license plate. Additionally, the Purple Heart~~
 138 ~~plate may have the words "Purple Heart" stamped on the plate and~~
 139 ~~the likeness of the Purple Heart medal appearing on the plate.~~

140 (b) Notwithstanding any ~~other provision of law to the~~
 141 ~~contrary, beginning with fiscal year 2002-2003 and annually~~
 142 ~~thereafter,~~ the first \$100,000 in general revenue generated from
 143 the sale of license plates issued under this section shall be
 144 deposited into the Grants and Donations Trust Fund, as described
 145 in s. 296.38(2), to be used for the purposes established by law
 146 for that trust fund. Any additional general revenue generated
 147 from the sale of such plates shall be deposited into the State
 148 Homes for Veterans Trust Fund and used solely to construct,
 149 operate, and maintain domiciliary and nursing homes for
 150 veterans, subject to the requirements of chapter 216.

151 (c) Any revenue generated from the sale of Woman Veteran
 152 license plates must be deposited into the Grants and Donations
 153 ~~Operations and Maintenance~~ Trust Fund administered by the
 154 Department of Veterans' Affairs pursuant to s. 20.375(2)
 155 ~~20.375(3)~~ and must be used solely for the purpose of creating
 156 and implementing programs to benefit women veterans.

HB 511

2016

157 (d) Notwithstanding any ~~provisions of~~ law to the contrary,
158 an applicant for a Pearl Harbor Survivor license plate or a
159 Purple Heart license plate who also qualifies for a disabled
160 veteran's license plate under s. 320.084 shall be issued the
161 appropriate special license plate without payment of the license
162 tax imposed by s. 320.08.

163 Section 4. This act shall take effect July 1, 2016.



Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
 2 Subcommittee

3 Representative Hill offered the following:

Amendment (with directory and title amendments)

6 Remove lines 77-112 and insert:

7 3. A Navy Submariner shall be issued a license plate
 8 stamped with the term "Navy Submariner" followed by the serial
 9 number of the license plate.

10 4. An active or retired member of the Florida National
 11 Guard shall be issued a license plate stamped with the term
 12 "National Guard" followed by the serial number of the license
 13 plate.

14 5. A member of the Pearl Harbor Survivors Association or
 15 other person on active military duty in Pearl Harbor on December
 16 7, 1941, shall be issued a license plate stamped with the term
 17 "Pearl Harbor Survivor" followed by the serial number of the



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18 license plate., ~~a survivor of the attack on Pearl Harbor,~~

19 6. A recipient of the Purple Heart medal shall be issued a
20 license plate stamped with the term "Combat-wounded Veteran"
21 followed by the serial number of the license plate. The Purple
22 Heart plate may have the term "Purple Heart" stamped on the
23 plate and the likeness of the Purple Heart medal appearing on
24 the plate.

25 7. An active or retired member of any branch of the United
26 States Armed Forces Reserve shall be issued a license plate
27 stamped with the term "U.S. Reserve" followed by the serial
28 number of the license plate.

29 8. A member of the Combat Infantrymen's Association, Inc.,
30 or a recipient of the Combat Infantry Badge, Combat Medical
31 Badge, Combat Action Badge, Combat Action Ribbon, or Air Force
32 Combat Action Medal shall be issued a license plate stamped with
33 the term "Combat Infantry Badge," "Combat Medical Badge,"
34 "Combat Action Badge," "Combat Action Ribbon," or "Air Force
35 Combat Action Medal," as appropriate, and a likeness of the
36 related campaign medal or badge, followed by the serial number
37 of the license plate.

38 9. A recipient of the, ~~or~~ Distinguished Flying Cross shall
39 be issued a license plate stamped with the term "Distinguished
40 Flying Cross" and a likeness of the Distinguished Flying Cross
41 followed by the serial number of the license plate.

42 10. A recipient of the Bronze Star shall be issued a
43 Remove line 163 and insert:



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44 (2) Each owner or lessee of an automobile or truck for
45 private use, a truck weighing not more than 7,999 pounds, or a
46 recreational vehicle as specified in s. 320.08(9)(c) or (d),
47 which is not used for hire or commercial use who is a resident
48 of this state and who is a former prisoner of war, or his or her
49 unremarried surviving spouse, upon application to the
50 department, shall be issued a license plate as provided in s.
51 320.06, stamped with the words "Ex-POW" on the plate and the
52 likeness of the Prisoner of War medal followed by the serial
53 number. Each application shall be accompanied by proof that the
54 applicant meets the qualifications specified in paragraph (a) or
55 paragraph (b).

56 (a) A citizen of the United States who served as a member
57 of the Armed Forces of the United States or the armed forces of
58 a nation allied with the United States who was held as a
59 prisoner of war at such time as the Armed Forces of the United
60 States were engaged in combat, or his or her unremarried
61 surviving spouse, may be issued the special license plate
62 provided for in this subsection without payment of the license
63 tax imposed by s. 320.08.

64 (b) A person who was serving as a civilian with the
65 consent of the United States Government, or a person who was a
66 member of the Armed Forces of the United States while he or she
67 was not a United States citizen and was held as a prisoner of
68 war when the Armed Forces of the United States were engaged in
69 combat, or his or her unremarried surviving spouse, may be



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70 issued the special license plate provided for in this subsection
71 upon payment of the license tax imposed by s. 320.08.

72 Section 4. This act shall take effect October 1, 2016.

73

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75

76

D I R E C T O R Y A M E N D M E N T

77

Remove lines 45-46 and insert:

78

Section 3. Subsections (1) and (2) of section 320.089,

79

Florida Statutes, are amended to read:

80

81

82

T I T L E A M E N D M E N T

83

Remove line 9 and insert:

84

license plates; allowing the Prisoner of war medal on the "Ex-

85

POW" license plate; providing an effective date.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 663 Specialty License Plates/Support Our Constitution
SPONSOR(S): Cortes and others
TIED BILLS: IDEN./SIM. **BILLS:** SB 1180

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Highway & Waterway Safety Subcommittee		Whittaker	Smith <i>MS</i>
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "Support Our Constitution" license plate, with an annual use fee of \$25 to be distributed to The Constitution Foundation, Inc., and used as follows:

- A maximum of 15 percent for administrative costs of the organization.
- A maximum of 10 percent for promotion and marketing costs of the license plate.
- The remainder to fund the activities, programs, projects, and mission of The Constitution Foundation to increase awareness and understanding of the United States Constitution in Florida's public schools, recruit and train school leaders to make presentations in each school district, and provide to each student, at no charge, with learning materials and a pocket Constitution.

The new plate will display the word "Florida" at the top of the plate and the words "Support Our Constitution" at the bottom of the plate.

The bill authorizes The Constitution Foundation, Inc., to retain all annual use fees from the sale of the "Support Our Constitution" specialty license plate until all startup costs for developing and issuing the plate have been recovered.

According to DHSMV, the bill will have a negative but insignificant fiscal impact to state expenditures.

An effective date of October 1, 2016 is provided in the bill.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Specialty License Plates in General

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.¹ The collected fees are distributed by the DHSMV to statutorily designated organizations in support of a particular cause or charity. Vehicles registered under the International Registration Plan, a commercial truck required to display two license plates, or truck tractors are not eligible for specialty license plates.²

Only the Legislature may create new specialty license plates. If a specialty license plate is created by law, the following requirements must then be met:

- Within 60 days, the organization must submit an art design, in a medium prescribed by DHSMV.³
- Within 120 days, DHSMV must establish a method to issue a specialty license plate voucher to allow for the pre-sale of the specialty plate.⁴
- Within 24 months after the voucher is established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin. If this requirement is not met, the plate is deauthorized and DHSMV must discontinue development of the plate and issuance of the vouchers.⁵

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 1,000 plates (does not apply to collegiate license plates).⁶

Organizations in receipt of specialty license plate revenue must adhere to certain accountability requirements found in statute. These requirements include an annual attestation document affirming, under penalty of perjury, that funds received have been spent in accordance with applicable statutes.⁷

A moratorium on the issuance of specialty license plates was imposed by lawmakers in 2008, originally set to expire in 2011. The moratorium has subsequently been extended to July 1, 2016.⁸

Effect of Proposed Changes

Support Our Constitution License Plate

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 15, 2016).

² s. 320.08056(2), F.S.

³ s. 320.08053(1), F.S.

⁴ s. 320.08053(2)(a), F.S.

⁵ s. 320.08053(2)(b), F.S.

⁶ s. 320.08056 (8)(a), F.S.

⁷ s. 320.08062, F. S.

⁸ Ch. 2008-176, Laws of Fla., as amended by Ch. 2010-223 and Ch. 2014-216, Laws of Fla.

The bill directs the DHSMV to create a new specialty license plate designated as the "Support Our Constitution" license plate, with an annual use fee of \$25 to be distributed to The Constitution Foundation, Inc., and used as follows:

- A maximum of 15 percent may be used for administrative costs of the organization.
- A maximum of 10 percent may be used for promotion and marketing costs of the license plate.
- The remainder shall be used to fund the activities, programs, projects, and mission of The Constitution Foundation to increase awareness and understanding of the United States Constitution in Florida's public schools, recruit and train school leaders to make presentations in each school district, and provide to each student, at no charge, with learning materials and a pocket Constitution.

The new plate will display the word "Florida" at the top of the plate, and the words "Support Our Constitution" at the bottom of the plate.

The bill authorizes The Constitution Foundation, Inc., to retain all annual use fees from the sale of the "Support Our Constitution" specialty license plate until all startup costs for developing and issuing the plate have been recovered.

The Constitution Foundation, Inc.

According to corporate filings with the Department of State, the principal address for The Constitution Foundation, Inc., is in Kissimmee, Florida. The articles of incorporation of the organization state that it is a not-for-profit corporation whose purpose is to:

- Promote a constructionist view of the constitution;
- Transform legal and public policy debates through education, the legislature, courts, and media; and
- Help provide assistance to individuals victimized by constitutional violations.⁹

B. SECTION DIRECTORY:

Section 1 Amends s. 320.08056, F.S., establishing an annual use fee of \$25 for the Support Our Constitution specialty license plate.

Section 2 Amends s. 320.08058, F.S., directing the Department of Highway Safety and Motor Vehicles to create a Support Our Constitution specialty license plate and provides for the distribution of the annual use fees collected.

Section 3 Provides an effective date of October 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

There is a negative but indeterminate cost to DHSMV for the programming of new specialty license plates. These costs can be absorbed within existing resources.

⁹ Florida Department of State Division of Corporations, *Document Images*, <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2011%5C0720%5C80058818.tif&documentNumber=N11000006800> (last visited December 17, 2015)

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Revenue generated from the sale of specialty license plates are distributed to various organizations as provided in statute.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to specialty license plates; amending
 3 ss. 320.08056 and 320.08058, F.S.; directing the
 4 Department of Highway Safety and Motor Vehicles to
 5 create a Support Our Constitution license plate;
 6 establishing an annual use fee for the plate;
 7 providing for the distribution of use fees received
 8 from the sale of such plates; providing an effective
 9 date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Paragraph (ffff) is added to subsection (4) of
 14 section 320.08056, Florida Statutes, to read:

15 320.08056 Specialty license plates.—

16 (4) The following license plate annual use fees shall be
 17 collected for the appropriate specialty license plates:

18 (ffff) Support Our Constitution license plate, \$25.

19 Section 2. Subsection (84) is added to section 320.08058,
 20 Florida Statutes, to read:

21 320.08058 Specialty license plates.—

22 (84) SUPPORT OUR CONSTITUTION LICENSE PLATES.—

23 (a) The department shall develop a Support Our
 24 Constitution license plate as provided in this section. Support
 25 Our Constitution license plates must bear the colors and design
 26 approved by the department. The word "Florida" must appear at

27 the top of the plate, and the words "Support Our Constitution"
 28 must appear at the bottom of the plate.

29 (b) The annual use fees shall be distributed to The
 30 Constitution Foundation, Inc., which may retain all proceeds
 31 from the annual use fees until the startup costs for developing
 32 and issuing the license plates have been recovered. Thereafter,
 33 The Constitution Foundation, Inc., may use the proceeds as
 34 follows:

35 1. A maximum of 15 percent may be used for administrative
 36 costs of the organization.

37 2. A maximum of 10 percent may be used for promotion and
 38 marketing costs of the license plate.

39 3. The remainder shall be used to fund the activities,
 40 programs, projects, and mission of The Constitution Foundation
 41 to increase awareness and understanding of the United States
 42 Constitution in Florida's public schools, recruit and train
 43 school leaders to make presentations in each school district,
 44 and provide to each student, at no charge, with learning
 45 materials and a pocket Constitution.

46 Section 3. This act shall take effect October 1, 2016.



Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
 2 Subcommittee
 3 Representative Cortes, J. offered the following:

4
5 **Amendment**

6 Remove line 33 and insert:

7 The Constitution Foundation, Inc., shall use the proceeds as

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 733 Specialty License Plates/Vision For Excellence

SPONSOR(S): Fullwood

TIED BILLS: **IDEN./SIM. BILLS:** SB 1022

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Highway & Waterway Safety Subcommittee		Whittaker	Smith
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "Vision for Excellence" license plate, with an annual use fee of \$25 to be distributed to Vision for Excellence, Inc., and used as follows:

- Up to ten percent of the proceeds for marketing and promotion of the plate and up to ten percent of the proceeds for administrative costs directly associated with its programs.
- The remainder of the proceeds shall be used by Vision of Excellence, Inc. for direct support of programs, services, and activities provided to children who participate in Vision for Excellence, Inc., youth development programs.

The new plate will display the word "Florida" at the top of the plate and the words "Vision for Excellence" at the bottom of the plate.

According to DHSMV, the bill will have a negative but insignificant fiscal impact to state expenditures.

An effective date of October 1, 2016 is provided in the bill.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Specialty License Plates in General

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.¹ The collected fees are distributed by the DHSMV to statutorily designated organizations in support of a particular cause or charity. Vehicles registered under the International Registration Plan, a commercial truck required to display two license plates, or truck tractors are not eligible for specialty license plates.²

Only the Legislature may create new specialty license plates. If a specialty license plate is created by law, the following requirements must then be met:

- Within 60 days, the organization must submit an art design, in a medium prescribed by DHSMV.³
- Within 120 days, DHSMV must establish a method to issue a specialty license plate voucher to allow for the pre-sale of the specialty plate.⁴
- Within 24 months after the voucher is established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin. If this requirement is not met, the plate is deauthorized and DHSMV must discontinue development of the plate and issuance of the vouchers.⁵

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 1,000 plates (does not apply to collegiate license plates).⁶

Organizations in receipt of specialty license plate revenue must adhere to certain accountability requirements found in statute. These requirements include an annual attestation document affirming, under penalty of perjury, that funds received have been spent in accordance with applicable statutes.⁷

A moratorium on the issuance of specialty license plates was imposed by lawmakers in 2008, originally set to expire in 2011. The moratorium has subsequently been extended to July 1, 2016.⁸

Effect of Proposed Changes

Vision for Excellence License Plate

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags> (last visited January 15, 2016).

² s. 320.08056(2), F.S.

³ s. 320.08053(1), F.S.

⁴ s. 320.08053(2)(a), F.S.

⁵ s. 320.08053(2)(b), F.S.

⁶ s. 320.08056 (8)(a), F.S.

⁷ s. 320.08062, F. S.

⁸ Ch. 2008-176, Laws of Fla., as amended by Ch. 2010-223 and Ch. 2014-216, Laws of Fla.

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "Vision for Excellence" license plate, with an annual use fee of \$25 to be distributed to Vision for Excellence, Inc. and used as follows:

- Up to ten percent of the proceeds for marketing and promotion of the plate and up to ten percent of the proceeds for administrative costs directly associated with its programs.
- The remainder of the proceeds shall be used by Vision of Excellence, Inc. for direct support of programs, services, and activities provided to children who participate in Vision for Excellence, Inc., youth development programs.

The new plate will display the word "Florida" at the top of the plate and the words "Vision for Excellence" at the bottom of the plate.

Vision for Excellence, Inc.

According to corporate filings with the Department of State, the principal address for Vision for Excellence, Inc., is in Jacksonville, Florida. The articles of incorporation of the organization state that it is a not-for-profit corporation whose purpose is to prevent and reduce the incidence of juvenile delinquency, crime, and other behavioral problems in youth by providing mentoring, community service, and education that includes life skills training and practical experiences that will develop and strengthen the positive bonds of youth to their families, schools, and communities.⁹

B. SECTION DIRECTORY:

Section 1 Amends s. 320.08056, F.S., establishing an annual use fee of \$25 for the Vision for Excellence specialty license plate.

Section 2 Amends s. 320.08058, F.S., directing the Department of Highway Safety and Motor Vehicles to create a Vision for Excellence specialty license plate and provides for the distribution of the annual use fees collected.

Section 3 Provides an effective date of October 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

There is a negative but indeterminate cost to DHSMV for the programming of new specialty license plates. These costs can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

⁹ Florida Department of State Division of Corporations, *Document Images*, <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2013%5C0124%5C43427145.Tif&documentNumber=N11000011300> (last visited December 17, 2015)

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Revenue generated from the sale of specialty license plates are distributed to various organizations as provided in statute.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to specialty license plates; amending
 3 ss. 320.08056 and 320.08058, F.S.; directing the
 4 Department of Highway Safety and Motor Vehicles to
 5 develop a Vision For Excellence license plate;
 6 establishing an annual use fee for the plate;
 7 providing for distribution and use of fees collected
 8 from the sale of the plates; providing an effective
 9 date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Paragraph (ffff) is added to subsection (4) of
 14 section 320.08056, Florida Statutes, to read:

15 320.08056 Specialty license plates.—

16 (4) The following license plate annual use fees shall be
 17 collected for the appropriate specialty license plates:

18 (ffff) Vision For Excellence license plate, \$25.

19 Section 2. Subsection (84) is added to section 320.08058,
 20 Florida Statutes, to read:

21 320.08058 Specialty license plates.—

22 (84) VISION FOR EXCELLENCE LICENSE PLATES.—

23 (a) The department shall develop a Vision For Excellence
 24 license plate as provided in this section and s. 320.08053. The
 25 plate must bear the colors and design approved by the
 26 department. The word "Florida" must appear at the top of the

27 | plate, and the words "Vision For Excellence" must appear at the
 28 | bottom of the plate.

29 | (b) Annual use fees from the sale of such plates shall be
 30 | distributed to Vision For Excellence, Inc., which shall retain
 31 | all such proceeds until all startup costs for developing and
 32 | establishing the plate have been recovered. Thereafter, Vision
 33 | For Excellence, Inc., may use up to 10 percent of the proceeds
 34 | for marketing and promotion of the plate and up to 10 percent of
 35 | the proceeds for administrative costs directly associated with
 36 | its programs. The remainder of the proceeds shall be used by
 37 | Vision For Excellence, Inc., for direct support of programs,
 38 | services, and activities provided to children who participate in
 39 | Vision For Excellence, Inc., youth development programs.

40 | Section 3. This act shall take effect October 1, 2016.



Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
 2 Subcommittee
 3 Representative Fullwood offered the following:

Amendment

Remove line 33 and insert:

For Excellence, Inc., may use up to 15 percent of the proceeds

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 801 Specialty License Plates
SPONSOR(S): Ingram
TIED BILLS: IDEN./SIM. BILLS: SB 690

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Highway & Waterway Safety Subcommittee		Whittaker	Smith
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a "Support Special Needs Kids" and an "America the Beautiful" specialty license plate, establishes the annual use fee at \$25 for both plates, and provides for the distribution of the annual use fees. The bill also revises the distribution of the annual use fees for the already established "In God We Trust" specialty license plate.

Annual use fees for "Support Special Needs Kids" license plate shall be distributed to the Dan Marino Foundation, Inc., and used as follows:

- A maximum of ten percent of the proceeds to promote and market the plate.
- To invest and reinvest the remainder of the proceeds and use the interest thereon to assist Floridians with developmental and intellectual disabilities by funding scholarships, assisting with job placement, and promoting education, independence and awareness.

The bill provides that the word "Florida" appear at the top of the plate, and the words "Support Special Needs Kids" must appear at the bottom of the plate.

Annual use fees for the "America the Beautiful" license plate shall be distributed to the America the Beautiful Fund to retain until startup costs have been recovered. Thereafter, the annual use fees will be used as follows:

- Ten percent of the proceeds to offset administrative costs of the organization and to market and promote the plate.
- The remainder may be distributed to:
 - Programs in support of military service members and their families and advancing self-sufficiency in children and families;
 - Educational scholarships; and
 - Land and wildlife conservation to ensure sustained and equitable benefit to people, animals and wildlife.

The bill provides that the word "Florida" appear at the top of the plate, and the words "America the Beautiful" must appear at the bottom of the plate.

According to DHSMV, the bill will have a negative but insignificant fiscal impact to state expenditures.

This bill will become effective October 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Specialty License Plates in General

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.¹ The collected fees are distributed by the DHSMV to statutorily designated organizations in support of a particular cause or charity. Vehicles registered under the International Registration Plan, a commercial truck required to display two license plates, or truck tractors are not eligible for specialty license plates.²

Only the Legislature may create new specialty license plates. If a specialty license plate is created by law, the following requirements must then be met:

- Within 60 days, the organization must submit an art design, in a medium prescribed by DHSMV.³
- Within 120 days, DHSMV must establish a method to issue a specialty license plate voucher to allow for the pre-sale of the specialty plate.⁴
- Within 24 months after the voucher is established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin. If this requirement is not met, the plate is deauthorized and DHSMV must discontinue development of the plate and issuance of the vouchers.⁵

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 1,000 plates (does not apply to collegiate license plates).⁶

Organizations in receipt of specialty license plate revenue must adhere to certain accountability requirements found in statute. These requirements include an annual attestation document affirming, under penalty of perjury, that funds received have been spent in accordance with applicable statutes.⁷

A moratorium on the issuance of specialty license plates was imposed by lawmakers in 2008, originally set to expire in 2011. The moratorium has subsequently been extended to July 1, 2016.⁸

Proposed Changes

Support Special Needs Kids License Plate

The bill directs the DHSMV to create a new specialty plate designated as the "Support Special Needs Kids" license plate, with an annual use fee of \$25 to be distributed to the Dan Marino Foundation, Inc., and used as follows:

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 15, 2016).

² s. 320.08056(2), F.S.

³ s. 320.08053(1), F.S.

⁴ s. 320.08053(2)(a), F.S.

⁵ s. 320.08053(2)(b), F.S.

⁶ s. 320.08056 (8)(a), F.S.

⁷ s. 320.08062, F. S.

⁸ Ch. 2008-176, Laws of Fla., as amended by Ch. 2010-223 and Ch. 2014-216, Laws of Fla.

- A maximum of ten percent of the proceeds to promote and market the plate.
- To invest and reinvest the remainder of the proceeds and use the interest thereon to assist Floridians with developmental and intellectual disabilities by funding scholarships, assisting with job placement, and promoting education, independence and awareness.

The bill provides that the word “Florida” appear at the top of the plate, and the words “Support Special Needs Kids” must appear at the bottom of the plate.

Dan Marino Foundation, Inc.

The Dan Marino Foundation, Inc., a 501(c) 3 organization was established in 1992 by Dan and Claire Marino, motivated by their experiences in raising their son, Michael, who is diagnosed with autism. The Foundation's mission is "empowering individuals with autism and other developmental disabilities."⁹

America the Beautiful License Plate

The bill directs the DHSMV to create a new specialty license plate designated as the “America the Beautiful” license plate, with an annual use fee of \$25 to be distributed to the America the Beautiful Fund to retain until startup costs have been recovered. Thereafter, the annual use fees will be used as follows:

- Ten percent of the proceeds to offset administrative costs of the organization and to market and promote the plate.
- The remainder may be distributed to:
 - Programs in support of military service members and their families and advancing self-sufficiency in children and families;
 - Educational scholarships; and
 - Land and wildlife conservation to ensure sustained and equitable benefit to people, animals and wildlife.

The bill provides that the word “Florida” appear at the top of the plate, and the words “America the Beautiful” must appear at the bottom of the plate.

America the Beautiful Fund

America the Beautiful Fund is a fictitious name registered by Live Laugh Love Give, Inc.¹⁰

Live Laugh Love Give, Inc., is a 501 (c) 3 organization and is organized exclusively for charitable, religious, educational and scientific purposes.¹¹

Revised Distribution of the In God We Trust License Plate Fees

The bill also amends s. 320.08058(66), F.S., to revise the distribution of the annual use fees for the “In God We Trust” specialty license plate. The annual use fees from the plate shall be distributed as a charitable donation to the In God We Trust Foundation, Inc., which may use a maximum of 10 percent of the proceeds to offset marketing, administration, and promotion, and which may use the balance of the fees to:

- Address the needs of military;
- Provide education in public and private schools regarding the historical significance of religion in American and Florida history;
- Provide educational grants in public and private schools;
- Address the needs to public safety employees and their spouses and dependents; and
- Foster self-reliance and stability in Florida’s children and families.

⁹ Dan Marino Foundation, *Our Mission*, <http://www.danmarinofoundation.org/portal/about-dmf> (last visited December 17, 2015)

¹⁰ Florida Department of State Division of Corporations, *Fictitious Name Detail*, <http://images.sunbiz.org/scripts/ficidet.exe?action=DETREG&docnum=G15000109272&rdocnum=G15000038048> (last visited December 18, 2015)

¹¹ Florida Department of State Division of Corporations, *Document Images*, <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2015%5C0730%5C75221065.Tif&documentNumber=N15000007314> (last visited December 18, 2015)

B. SECTION DIRECTORY:

- Section 1** Amends s. 320.08056, F.S., establishing an annual use fee of \$25 for both the Support Special Needs Kids and the America the Beautiful specialty license plates.
- Section 2** Amends s. 320.08058, F.S., revising the distribution requirements for annual use fees for the In God We Trust specialty license plate; directing the DHSMV to develop the Support Special Needs Kids and the America the Beautiful specialty license plates; providing for the distribution of annual use fees received from the sale of such plates.
- Section 3** Provides an effective date of October 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

There is a negative but indeterminate cost to DHSMV for the programming of new specialty license plates. These costs can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Revenue generated from the sale of specialty license plates are distributed to various organizations as provided in statute.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to specialty license plates; amending
 3 s. 320.08056, F.S.; providing annual use fees for the
 4 Support Special Needs Kids and the America the
 5 Beautiful specialty license plates; amending s.
 6 320.08058, F.S.; revising the distribution
 7 requirements for annual use fees for the In God We
 8 Trust specialty license plate; directing the
 9 Department of Highway Safety and Motor Vehicles to
 10 develop the Support Special Needs Kids and the America
 11 the Beautiful specialty license plates; providing for
 12 the distribution of annual use fees received from the
 13 sale of such plates; providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:

16
 17 Section 1. Paragraphs (ffff) and (gggg) are added to
 18 subsection (4) of section 320.08056, Florida Statutes, to read:
 19 320.08056 Specialty license plates.—

20 (4) The following license plate annual use fees shall be
 21 collected for the appropriate specialty license plates:

- 22 (ffff) Support Special Needs Kids license plate, \$25.
 23 (gggg) America the Beautiful license plate, \$25.

24 Section 2. Subsection (66) of section 320.08058, Florida
 25 Statutes, is amended, and subsections (84) and (85) are added to
 26 that section, to read:

27 320.08058 Specialty license plates.—

28 (66) IN GOD WE TRUST LICENSE PLATES.—

29 (a) The department shall develop an In God We Trust
 30 license plate as provided in this section. However, the
 31 requirements of s. 320.08053 must be met before the plates are
 32 issued. In God We Trust license plates must bear the colors and
 33 design approved by the department. The word "Florida" must
 34 appear at the top of the plate, and the words "In God We Trust"
 35 must appear in the body of the plate.

36 (b) The annual use fees from the plate shall be
 37 distributed as a charitable donation to the In God We Trust
 38 Foundation, Inc., which may use a maximum of 10 percent of the
 39 proceeds to offset marketing, administration, and promotion, and
 40 which may use the balance of the fees to address the needs of
 41 military service members and their spouses and dependents;
 42 provide education in public and private schools regarding the
 43 historical significance of religion in American and Florida
 44 history; provide educational grants in public and private
 45 schools; address the needs of public safety employees and their
 46 spouses and dependents; and foster self-reliance and stability
 47 in Florida's children and families.

48 ~~(b) The license plate annual use fees shall be distributed~~
 49 ~~to the In God We Trust Foundation, Inc., to fund educational~~
 50 ~~scholarships for the children of Florida residents who are~~
 51 ~~members of the United States Armed Forces, the National Guard,~~
 52 ~~and the United States Armed Forces Reserve and for the children~~

53 ~~of public safety employees who have died in the line of duty who~~
 54 ~~are not covered by existing state law. Funds shall also be~~
 55 ~~distributed to other s. 501(c)(3) organizations that may apply~~
 56 ~~for grants and scholarships and to provide educational grants to~~
 57 ~~public and private schools to promote the historical and~~
 58 ~~religious significance of American and Florida history. The In~~
 59 ~~God We Trust Foundation, Inc., shall distribute the license~~
 60 ~~plate annual use fees in the following manner:~~

61 ~~1. The In God We Trust Foundation, Inc., shall retain all~~
 62 ~~revenues from the sale of such plates until all startup costs~~
 63 ~~for developing and establishing the plate have been recovered.~~

64 ~~2. Ten percent of the funds received by the In God We~~
 65 ~~Trust Foundation, Inc., shall be expended for administrative~~
 66 ~~costs, promotion, and marketing of the license plate directly~~
 67 ~~associated with the operations of the In God We Trust~~
 68 ~~Foundation, Inc.~~

69 ~~3. All remaining funds shall be expended by the In God We~~
 70 ~~Trust Foundation, Inc., for programs.~~

71 (84) SUPPORT SPECIAL NEEDS KIDS LICENSE PLATES.—

72 (a) The department shall develop a Support Special Needs
 73 Kids license plate as provided in this section and s. 320.08053.
 74 The word "Florida" must appear at the top of the plate, and the
 75 words "Support Special Needs Kids" must appear at the bottom of
 76 the plate.

77 (b) The department shall retain all annual use fees from
 78 the sale of the plate until startup costs for developing and

79 issuing the plates have been recovered. Thereafter, the annual
 80 use fees from the sale of the plate shall be distributed to the
 81 Dan Marino Foundation, Inc., which:

82 1. May use a maximum of 10 percent of the proceeds to
 83 promote and market the Support Special Needs Kids license plate.

84 2. Shall invest and reinvest the remainder of the proceeds
 85 and use the interest thereon to assist Floridians with
 86 developmental and intellectual disabilities by funding
 87 scholarships, assisting with job placement, and promoting
 88 education, independence, and awareness.

89 (85) AMERICA THE BEAUTIFUL LICENSE PLATES.—

90 (a) The department shall develop an America the Beautiful
 91 license plate as provided in this section and s. 320.08053. The
 92 word "Florida" must appear at the top of the plate, and the
 93 words "America the Beautiful" must appear at the bottom of the
 94 plate.

95 (b) The America the Beautiful Fund shall retain annual use
 96 fees from the sale of the plate until startup costs for
 97 developing and issuing the plate have been recovered.

98 Thereafter, the annual use fees from the sale of the plate shall
 99 be distributed to the America the Beautiful Fund, which may use
 100 a maximum of 10 percent of the proceeds to offset administrative
 101 costs of the organization and to market and promote the plate,
 102 and which may use the remainder of the proceeds for programs in
 103 support of military service members and their families,
 104 advancing self-sufficiency in children and families, educational

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2016

105 | scholarships, and land and wildlife conservation to ensure
106 | sustained and equitable benefit to people, animals, and
107 | wildlife.

108 | Section 3. This act shall take effect October 1, 2016.



Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
 2 Subcommittee
 3 Representative Ingram offered the following:

Amendment (with directory and title amendments)

Between lines 23 and 24, insert:

(hhhh) Ducks Unlimited license plate, \$25.

Remove line 37 and insert:

distributed to the In God We Trust

Remove lines 77-79 and insert:

(b) The annual

Between lines 107 and 108, insert:

(86) DUCKS UNLIMITED LICENSE PLATES.-

(a) The department shall develop a Ducks Unlimited license
 plate as provided in this section and s. 320.08053. Ducks
 Unlimited license plates must bear the colors and design
 approved by the department. The word "Florida" must appear at



Amendment No. 1.

18 the top of the plate, and the words "Conserving Florida's
19 Wetlands" must appear at the bottom of the plate.

20 (b) The license plate annual use fees shall be distributed
21 to Ducks Unlimited, Inc., a nonprofit corporation under s.
22 501(c)(3) of the Internal Revenue Code. The proceeds must be
23 used to support Ducks Unlimited's mission and conservation
24 efforts in the state as follows:

25 1. Up to 5 percent may be used for administrative costs
26 and marketing of the plate.

27 2. A minimum of 95 percent shall be used to support Ducks
28 Unlimited's mission and efforts for the conservation,
29 restoration, and management of Florida wetlands and associated
30 habitats for the benefit of waterfowl, other wildlife, and
31 people.

32
33 -----
34 **D I R E C T O R Y A M E N D M E N T**

35 Remove line 17 and insert:

36 Section 1. Paragraphs (ffff), (gggg), and (hhhh) are added
37 to

38 Remove line 25 and insert:

39 Statutes, is amended, and subsections (84), (85), and (86) are
40 added to

41
42 -----
43 **T I T L E A M E N D M E N T**



Amendment No. 1.

44 Remove lines 4-11 and insert:
45 Support Special Needs Kids, America the Beautiful, and Ducks
46 Unlimited specialty license plates; amending s. 320.08058, F.S.;
47 revising the distribution requirements for annual use fees for
48 the In God We Trust specialty license plate; directing the
49 Department of Highway Safety and Motor Vehicles to develop the
50 Support Special Needs Kids, America the Beautiful, and Ducks
51 Unlimited specialty license plates; providing for



Amendment No. 2.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
2 Subcommittee

3 Representative Raschein offered the following:
4

5 **Amendment (with directory and title amendments)**

6 Between lines 23 and 24, insert:

7 (hhhh) Bonefish and Tarpon Trust license plate, \$25.

8 Between lines 107 and 108, insert:

9 (86) BONEFISH AND TARPON TRUST LICENSE PLATES.-

10 (a) The department shall develop a Bonefish and Tarpon
11 Trust license plate as provided in this section. The word
12 "Florida" must appear at the top of the plate, and the words
13 "Bonefish and Tarpon Trust" must appear at the bottom of the
14 plate.

15 (b) The annual use fees from the sale of the plate shall
16 be distributed to the Bonefish and Tarpon Trust, which:



Amendment No. 2.

17 1. May use a maximum of 10 percent of the proceeds to
18 promote and market the Bonefish and Tarpon Trust license plate.

19 2. Shall invest and reinvest the remainder of the proceeds
20 and use the interest thereon to conserve and enhance Florida
21 bonefish and tarpon fisheries and their respective environments
22 through stewardship, research, education, and advocacy.

23
24 -----
25 **D I R E C T O R Y A M E N D M E N T**

26 Remove lines 17-18 and insert:

27 Section 1. Paragraphs (ffff), (gggg) and (hhhh) are added
28 to subsection (4) of section 320.08056, Florida Statutes, to
29 read:

30 Remove lines 24-26 and insert:

31 Section 2. Subsection (66) of section 320.08058, Florida
32 Statutes, is amended, and subsections (84), (85) and (86) are
33 added to that section, to read:

34
35 -----
36 **T I T L E A M E N D M E N T**

37 Remove lines 2-13 and insert:

38 An act relating to specialty license plates; amending s.
39 320.08056, F.S.; providing annual use fees for the Support
40 Special Needs Kids, the America the Beautiful, and the Bonefish
41 and Tarpon Trust specialty license plates; amending s.
42 320.08058, F.S.; revising the distribution requirements for



Amendment No. 2.

43 annual use fees for the In God We Trust specialty license plate;
44 directing the Department of Highway Safety and Motor Vehicles to
45 develop the Support Special Needs Kids, the America the
46 Beautiful, and the Bonefish and Tarpon Trust specialty license
47 plates; providing for the distribution of annual use fees
48 received from the sale of such plates; providing an effective
49 date.



Amendment No. 3.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
 2 Subcommittee
 3 Representative Steube offered the following:

Amendment (with directory and title amendments)

Between lines 23 and 24, insert:

(hhh) Educate Engage Empower license plate, \$25.

Between lines 107 and 108, insert:

(86) EDUCATE ENGAGE EMPOWER LICENSE PLATES.-

(a) The department shall develop an Educate Engage Empower license plate as provided in this section and s. 320.0853. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Educate Engage Empower" must appear at the bottom of the plate.

(b) Annual use fees from the sale of such plates shall be distributed to Circuelle Foundation, Inc., which shall retain



Amendment No. 3.

18 all such proceeds until all startup costs for developing and
 19 establishing the plate have been recovered. Thereafter,
 20 Circuelle Foundation, Inc., may use up to 10 percent of the
 21 proceeds for marketing and promotion of the plate, up to 10
 22 percent for administrative costs directly associated with its
 23 programs, and 20 percent to support breast cancer research. The
 24 remainder of the proceeds shall be used for its programs,
 25 services, and activities to educate women, in particular young
 26 women, about the risk factors of breast cancer and the
 27 importance of breast health awareness.

28
 29 -----
 30 **D I R E C T O R Y A M E N D M E N T**

31 Remove lines 17-18 and insert:

32 Section 1. Paragraphs (ffff), (gggg) and (hhhh) are added to
 33 subsection (4) of section 320.08056, Florida Statutes, to read:

34 Remove lines 24-26 and insert:

35 Section 2. Subsection (66) of section 320.08058, Florida
 36 Statutes, is amended, and subsections (84), (85) and (86) are
 37 added to that section, to read:

38
 39 -----
 40 **T I T L E A M E N D M E N T**

41 Remove lines 2-13 and insert:

42 An act relating to specialty license plates; amending s.
 43 320.08056, F.S.; providing annual use fees for the Support



Amendment No. 3.

44 Special Needs Kids, the America the Beautiful, and Educate
45 Empower Engage specialty license plates; amending s. 320.08058,
46 F.S.; revising the distribution requirements for annual use fees
47 for the In God We Trust specialty license plate; directing the
48 Department of Highway Safety and Motor Vehicles to develop the
49 Support Special Needs Kids, the America the Beautiful, and the
50 Educate Engage Empower specialty plates; providing for the
51 distribution of annual use fees received from the sale of such
52 plates; providing an effective date.

53



Amendment No. 4.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
 2 Subcommittee
 3 Representative Steube offered the following:
 4

Amendment (with directory and title amendments)

Between lines 23 and 24, insert:

(hhh) Dogs Making a Difference license plate, \$25.

Remove line 107 and insert:

(86) DOGS MAKING A DIFFERENCE LICENSE PLATES.-

10 (a) The department shall develop a Dogs Making a
 11 Difference license plate as provided in this section and s.
 12 320.08053. The plate must bear the colors and design approved by
 13 the department. The word "Florida" must appear at the top of the
 14 plate, and the words "Dogs Making a Difference" must appear at
 15 the bottom of the plate.

16 (b) The annual use fees shall be distributed to
 17 Southeastern Guide Dogs, which may use up to 10 percent of the



Amendment No. 4.

18 proceeds for administrative costs and marketing of the plate.
 19 The balance of the fees shall be used by Southeastern Guide Dogs
 20 for the training and promotion of dogs for use by veterans and
 21 citizens who are blind.

22 -----
 23
 24 **D I R E C T O R Y A M E N D M E N T**

25 Remove lines 17-18 and insert:

26 Section 1. Paragraphs (ffff), (gggg) and (hhhh) are added
 27 to subsection (4) of section 320.08056, Florida Statutes, to
 28 read:

29 Remove lines 24-26 and insert:

30 Section 2. Subsection (66) of section 320.08058, Florida
 31 Statutes, is amended, and subsections (84), (85) and (86) are
 32 added to that section, to read:

33 -----
 34
 35 **T I T L E A M E N D M E N T**

36 Remove lines 2-13 and insert:

37 An act relating to specialty license plates; amending s.
 38 320.08056, F.S.; providing annual use fees for the Support
 39 Special Needs Kids, the America the Beautiful, and the Dogs
 40 Making an Difference specialty license plates; amending s.
 41 320.08058, F.S.; revising the distribution requirements for
 42 annual use fees for the In God We Trust specialty license plate;
 43 directing the Department of Highway Safety and Motor Vehicles to



Amendment No. 4.

44 develop the Support Special Needs Kids, the America the
45 Beautiful, and the Dogs Making a Difference specialty license
46 plates; providing for the distribution of annual use fees
47 received from the sale of such plates; providing an effective
48 date.

Amendment No. 5.

17 (b) The license plate annual use fees shall be distributed
18 as follows:

19 1. Up to 25 percent of the funds received by the Florida
20 State Chapter of the National Wild Turkey Federation may be used
21 for marketing of the license plate, for promotion and education
22 regarding this state's hunting heritage, and for administrative
23 costs directly associated with operation of the Chapter.

24 2. At least 75 percent of the funds received by the
25 Florida State Chapter of the National Wild Turkey Federation
26 must be used to fund programs and projects within the state that
27 promote conservation or that improve or increase turkey wildlife
28 habitat. To the extent feasible, turkey wildlife habitat
29 projects shall be coordinated with the Florida Fish and Wildlife
30 Conservation Commission.

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D I R E C T O R Y A M E N D M E N T

Remove lines 17-18 and insert:

Section 1. Paragraphs (ffff), (gggg) and (hhhh) are added to subsection (4) of section 320.08056, Florida Statutes, to read:

Remove lines 24-26 and insert:

Section 2. Subsection (66) of section 320.08058, Florida Statutes, is amended, and subsections (84), (85) and (86) are added to that section, to read:

Amendment No. 5.

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T I T L E A M E N D M E N T

Remove lines 2-13 and insert:

An act relating to specialty license plates; amending s.
320.08056, F.S.; providing annual use fees for the Support
Special Needs Kids, the America the Beautiful, and National Wild
Turkey Federation specialty license plates; amending s.
320.08058, F.S.; revising the distribution requirements for
annual use fees for the In God We Trust specialty license plate;
directing the Department of Highway Safety and Motor Vehicles to
develop the Support Special Needs Kids, the America the
Beautiful, and the National Wild Turkey Foundation specialty
plates; providing for the distribution of annual use fees
received from the sale of such plates; providing an effective
date.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 567 Specialty License Plates

SPONSOR(S): Miller

TIED BILLS: IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Highway & Waterway Safety Subcommittee		Whittaker	Smith
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "Orlando City Soccer Club" license plate, establishes an annual use fee of \$25 for the plate, and provides for the distribution of the annual use fees in accordance with other Florida Professional Sports Team specialty license plates.

The annual use fees from the Florida Professional Sports Teams license plates are annually distributed as follows:

- Fifty Five percent of the proceeds from the Florida Professional Sports Team plate must be deposited into the Professional Sports Development Trust Fund within the Department of Economic Opportunity. These funds must be used solely to attract and support major sports events in this state.
- The remaining proceeds of the Florida Professional Sports Team license plate must be allocated to Enterprise Florida, Inc. These funds must be deposited into the Professional Sports Development Trust Fund within the Department of Economic Opportunity. These funds must be used by Enterprise Florida, Inc., to:
 - promote the economic development of the sports industry;
 - distribute licensing and royalty fees to participating professional sports teams;
 - promote education programs in Florida schools that provide an awareness of the benefits of physical activity and nutrition standards;
 - partner with the Department of Education and the Department of Health to develop a program that recognizes schools whose students demonstrate excellent physical fitness or fitness improvement;
 - institute a grant program for communities bidding on minor sporting events that create an economic impact for the state;
 - distribute funds to Florida-based charities designated by Enterprise Florida, Inc., and the participating professional sports teams; and
 - fulfill the sports promotion responsibilities of the Department of Economic Opportunity.

The proceeds from the Professional Sports Development Trust Fund may also be used for operational expenses of Enterprise Florida, Inc., and financial support of the Sunshine State Games.

Florida Professional Sports Team license plates must bear the colors and design approved by DHSMV and must include the official league or team logo, or both, as appropriate for each team. The word "Florida" must appear at the top of the plate.

According to DHSMV, the bill will have a negative but insignificant fiscal impact to state expenditures.

The bill provides an effective date of July 1, 2016.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0567.HWSS.DOCX

DATE: 1/15/2016

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Specialty License Plates in General

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.¹ The collected fees are distributed by the DHSMV to statutorily designated organizations in support of a particular cause or charity. Vehicles registered under the International Registration Plan, a commercial truck required to display two license plates, or truck tractors are not eligible for specialty license plates.²

Only the Legislature may create new specialty license plates. If a specialty license plate is created by law, the following requirements must then be met:

- Within 60 days, the organization must submit an art design, in a medium prescribed by DHSMV.³
- Within 120 days, DHSMV must establish a method to issue a specialty license plate voucher to allow for the pre-sale of the specialty plate.⁴
- Within 24 months after the voucher is established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin. If this requirement is not met, the plate is deauthorized and DHSMV must discontinue development of the plate and issuance of the vouchers.⁵

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 1,000 plates (does not apply to collegiate license plates).⁶

Organizations in receipt of specialty license plate revenue must adhere to certain accountability requirements found in statute. These requirements include an annual attestation document affirming, under penalty of perjury, that funds received have been spent in accordance with applicable statutes.⁷

A moratorium on the issuance of specialty license plates was imposed by lawmakers in 2008, originally set to expire in 2011. The moratorium has subsequently been extended to July 1, 2016.⁸

Florida Professional Sports Teams Specialty License Plates

Florida Professional Sports Team license plates must bear the colors and design approved by the department and must include the official league or team logo, or both, as appropriate for each team. The word "Florida" must appear at the top of the plate.

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 15, 2016).

² s. 320.08056(2), F.S.

³ s. 320.08053(1), F.S.

⁴ s. 320.08053(2)(a), F.S.

⁵ s. 320.08053(2)(b), F.S.

⁶ s. 320.08056 (8)(a), F.S.

⁷ s. 320.08062, F. S.

⁸ Ch. 2008-176, Laws of Fla., as amended by Ch. 2010-223 and Ch. 2014-216, Laws of Fla.

The annual use fees from the Florida Professional Sports Teams license plates are to be annually distributed as follows:

- Fifty Five percent of the proceeds from the Florida Professional Sports Team plate must be deposited into the Professional Sports Development Trust Fund within the Department of Economic Opportunity. These funds must be used solely to attract and support major sports events in this state.
- The remaining proceeds of the Florida Professional Sports Team license plate must be allocated to Enterprise Florida, Inc. These funds must be deposited into the Professional Sports Development Trust Fund within the Department of Economic Opportunity. These funds must be used by Enterprise Florida, Inc., to:
 - promote the economic development of the sports industry;
 - distribute licensing and royalty fees to participating professional sports teams;
 - promote education programs in Florida schools that provide an awareness of the benefits of physical activity and nutrition standards;
 - partner with the Department of Education and the Department of Health to develop a program that recognizes schools whose students demonstrate excellent physical fitness or fitness improvement;
 - institute a grant program for communities bidding on minor sporting events that create an economic impact for the state;
 - distribute funds to Florida-based charities designated by Enterprise Florida, Inc., and the participating professional sports teams; and
 - fulfill the sports promotion responsibilities of the Department of Economic Opportunity.

The proceeds from the Professional Sports Development Trust Fund may also be used for operational expenses of Enterprise Florida, Inc., and financial support of the Sunshine State Games.

Currently, there are nine Florida Professional Sports Teams specialty license plates available for purchase and they are:

Florida Panthers	Jacksonville Jaguars	Miami Dolphins
Miami Heat	Miami Marlins	Orlando Magic
Tampa Bay Buccaneers	Tampa Bay Lightning	Tampa Bay Rays

Proposed Changes

Orlando City Soccer Club License Plate

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "Orlando City Soccer Club" license plate, establishes an annual use fee of \$25 for the plate, and provides for the distribution of the annual use fees in accordance with other Florida Professional Sports Team specialty license plates.

B. SECTION DIRECTORY:

- Section 1** Amends s. 320.08056, F.S., establishing an annual use fee of \$25 for the Orlando City Soccer Club specialty license plate.
- Section 2** Amends s. 320.08058, F.S., directing DHSMV to develop an Orlando City Soccer Club specialty license plate.
- Section 3** Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

There is a negative but indeterminate cost to DHSMV for the programming of new specialty license plates. These costs can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Revenue generated from the sale of specialty license plates are distributed to various organizations as provided in statute.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to specialty license plates; amending
 3 ss. 320.08056 and 320.08058, F.S.; directing the
 4 Department of Highway Safety and Motor Vehicles to
 5 develop an Orlando City Soccer Club license plate;
 6 establishing a use fee for the plate; providing an
 7 effective date.

8
 9 Be It Enacted by the Legislature of the State of Florida:

10
 11 Section 1. Paragraph (ffff) is added to subsection (4) of
 12 section 320.08056, Florida Statutes, to read:

13 320.08056 Specialty license plates.—

14 (4) The following license plate annual use fees shall be
 15 collected for the appropriate specialty license plates:

16 (ffff) Orlando City Soccer Club license plate, \$25.

17 Section 2. Subsection (84) is added to section 320.08058,
 18 Florida Statutes, to read:

19 320.08058 Specialty license plates.—

20 (84) ORLANDO CITY SOCCER CLUB LICENSE PLATES.—

21 Notwithstanding s. 45, chapter 2008-176, Laws of Florida, as
 22 amended by s. 21, chapter 2010-223, Laws of Florida, and s. 45,
 23 chapter 2014-216, Laws of Florida, the department shall develop
 24 an Orlando City Soccer Club license plate as provided in
 25 subsection (9).

26 Section 3. This act shall take effect July 1, 2016.



Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
2 Subcommittee

3 Representative Miller offered the following:
4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraphs (ffff) and (gggg) are added to
8 subsection (4) of section 320.08056, Florida Statutes, to read:

9 320.08056 Specialty license plates.—

10 (4) The following license plate annual use fees shall be
11 collected for the appropriate specialty license plates:

12 (ffff) Orlando City Soccer Club license plate, \$25.

13 (gggg) Jacksonville Armada Football Club license plate,
14 \$25.

15 Section 2. Subsection (9) of section 320.08058, Florida
16 Statutes, is amended and subsections (84) and (85) are created
17 to read:



Amendment No. 1.

18 320.08058 Specialty license plates.—

19 (9) FLORIDA PROFESSIONAL SPORTS TEAM LICENSE PLATES.—

20 (a) The Department of Highway Safety and Motor Vehicles
21 shall develop a Florida Professional Sports Team license plate
22 as provided in this section for Major League Baseball, National
23 Basketball Association, National Football League, Arena Football
24 League, National Hockey League, ~~and~~ Major League Soccer, and
25 North American Soccer League teams domiciled in this state.

26 However, any Florida Professional Sports Team license plate
27 created or established after January 1, 1997, must comply with
28 the requirements of s. 320.08053 and be specifically authorized
29 by an act of the Legislature. Florida Professional Sports Team
30 license plates must bear the colors and design approved by the
31 department and must include the official league or team logo, or
32 both, as appropriate for each team. The word "Florida" must
33 appear at the top of the plate.

34 (b) The license plate annual use fees are to be annually
35 distributed as follows:

36 1. Fifty-five percent of the proceeds from the Florida
37 Professional Sports Team plate must be deposited into the
38 Professional Sports Development Trust Fund within the Department
39 of Economic Opportunity. These funds must be used solely to
40 attract and support major sports events in this state. As used
41 in this subparagraph, the term "major sports events" means, but
42 is not limited to, championship or all-star contests of Major
43 League Baseball, the National Basketball Association, the



Amendment No. 1.

44 National Football League, the National Hockey League, Major
45 League Soccer, the North American Soccer League, the men's and
46 women's National Collegiate Athletic Association Final Four
47 basketball championship, or a horseracing or dogracing Breeders'
48 Cup. All funds must be used to support and promote major
49 sporting events, and the uses must be approved by the Department
50 of Economic Opportunity.

51 2. The remaining proceeds of the Florida Professional
52 Sports Team license plate must be allocated to Enterprise
53 Florida, Inc. These funds must be deposited into the
54 Professional Sports Development Trust Fund within the Department
55 of Economic Opportunity. These funds must be used by Enterprise
56 Florida, Inc., to promote the economic development of the sports
57 industry; to distribute licensing and royalty fees to
58 participating professional sports teams; to promote education
59 programs in Florida schools that provide an awareness of the
60 benefits of physical activity and nutrition standards; to
61 partner with the Department of Education and the Department of
62 Health to develop a program that recognizes schools whose
63 students demonstrate excellent physical fitness or fitness
64 improvement; to institute a grant program for communities
65 bidding on minor sporting events that create an economic impact
66 for the state; to distribute funds to Florida-based charities
67 designated by Enterprise Florida, Inc., and the participating
68 professional sports teams; and to fulfill the sports promotion
69 responsibilities of the Department of Economic Opportunity.



Amendment No. 1.

70 3. Enterprise Florida, Inc., shall provide an annual
 71 financial audit in accordance with s. 215.981 of its financial
 72 accounts and records by an independent certified public
 73 accountant pursuant to the contract established by the
 74 Department of Economic Opportunity. The auditor shall submit the
 75 audit report to the Department of Economic Opportunity for
 76 review and approval. If the audit report is approved, the
 77 Department of Economic Opportunity shall certify the audit
 78 report to the Auditor General for review.

79 4. Notwithstanding the provisions of subparagraphs 1. and
 80 2., proceeds from the Professional Sports Development Trust Fund
 81 may also be used for operational expenses of Enterprise Florida,
 82 Inc., and financial support of the Sunshine State Games.

83 (84) ORLANDO CITY SOCCER CLUB LICENSE PLATES.-The
 84 department shall develop an Orlando City Soccer Club license
 85 plate as provided in subsection (9).

86 (85) JACKSONVILLE ARMADA FOOTBALL CLUB LICENSE PLATES.-The
 87 department shall develop a Jacksonville Armada Football Club
 88 license plate as provided in subsection (9).

89 Section 3. This act shall take effect October 1, 2016.
 90
 91

92 -----
 93 **T I T L E A M E N D M E N T**

94 Remove everything before the enacting clause and insert:

95 An act relating to specialty license plates, amending s.

96 320.08056, F.S., providing annual use fees for the Orlando City



Amendment No. 1.

97 Soccer Club and Jacksonville Armada Football Club specialty
98 license plates; amending s. 320.08058, F.S., adding additional
99 entities eligible for a Florida Professional Sports Teams
100 license plate; requiring the Department of Highway Safety and
101 Motor Vehicles to develop an Orlando City Soccer Club license
102 plate and a Jacksonville Armada Football Club license plate;
103 providing an effective date.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1013 Specialty License Plates/Safe & Free Florida
SPONSOR(S): Sullivan
TIED BILLS: IDEN./SIM. **BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Highway & Waterway Safety Subcommittee		Whittaker	Smith
2) Appropriations Committee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "Safe and Free Florida" license plate, with an annual use fee of \$25 to be distributed to the Department of Legal Affairs which:

- May use up to 15 percent of the proceeds to promote and market the license plate.
- Shall establish a program to award grants to nongovernmental organizations that shall use the awarded funds:
 - To provide for the material needs of the sexually abused, exploited, or trafficked victims, including, but not limited to, clothing, housing, medical care, food, utilities, and transportation.
 - For detoxification services.
 - For prenatal and postnatal care and to provide services for infants awaiting placement with adoptive parents.
 - To purchase or lease real estate to facilitate a safe house or a transitional care or recovery care center.
 - For counseling, training, awareness, and prevention programs for sexually abused, exploited, or trafficked victims.
 - To provide emergency legal advocacy to sexually abused or trafficked victims at a rate established by the Department of Legal Affairs.

The new plate will display the word "Florida" at the top of the plate and the words "End Human Trafficking" at the bottom of the plate.

The Department of Legal Affairs may not distribute funds to any nongovernmental organization that charges victims for services received through this funding. An organization that receives the funds may not use the funds for administrative or capital expenditures. Each organization that receives funds must submit an annual attestation to the Department of Legal Affairs no later than December 31. The Department of Legal Affairs shall adopt and enforce rules to implement the bill.

According to DHSMV, the bill will have a negative but insignificant fiscal impact to state expenditures.

An effective date of October 1, 2016 is provided in the bill.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Specialty License Plates in General

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.¹ The collected fees are distributed by the DHSMV to statutorily designated organizations in support of a particular cause or charity. Vehicles registered under the International Registration Plan, a commercial truck required to display two license plates, or truck tractors are not eligible for specialty license plates.²

Only the Legislature may create new specialty license plates. If a specialty license plate is created by law, the following requirements must then be met:

- Within 60 days, the organization must submit an art design, in a medium prescribed by DHSMV.³
- Within 120 days, DHSMV must establish a method to issue a specialty license plate voucher to allow for the pre-sale of the specialty plate.⁴
- Within 24 months after the voucher is established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin. If this requirement is not met, the plate is deauthorized and DHSMV must discontinue development of the plate and issuance of the vouchers.⁵

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 1,000 plates (does not apply to collegiate license plates).⁶

Organizations in receipt of specialty license plate revenue must adhere to certain accountability requirements found in statute. These requirements include an annual attestation document affirming, under penalty of perjury, that funds received have been spent in accordance with applicable statutes.⁷

A moratorium on the issuance of specialty license plates was imposed by lawmakers in 2008, originally set to expire in 2011. The moratorium has subsequently been extended to July 1, 2016.⁸

Effect of Proposed Changes

Safe and Free Florida License Plate

The bill directs the DHSMV to create a new specialty license plate designated as the "Safe and Free Florida" license plate, with an annual use fee of \$25 to be distributed to the Department of Legal Affairs which:

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 15, 2016).

² s. 320.08056(2), F.S.

³ s. 320.08053(1), F.S.

⁴ s. 320.08053(2)(a), F.S.

⁵ s. 320.08053(2)(b), F.S.

⁶ s. 320.08056 (8)(a), F.S.

⁷ s. 320.08062, F. S.

⁸ Ch. 2008-176, Laws of Fla., as amended by Ch. 2010-223 and Ch. 2014-216, Laws of Fla.

- May use up to 15 percent of the proceeds to promote and market the license plate.
- Shall establish a program to award grants to nongovernmental organizations that shall use the awarded funds:
 - To provide for the material needs of the sexually abused, exploited, or trafficked victims, including, but not limited to, clothing, housing, medical care, food, utilities, and transportation.
 - For detoxification services.
 - For prenatal and postnatal care and to provide services for infants awaiting placement with adoptive parents.
 - To purchase or lease real estate to facilitate a safe house or a transitional care or recovery care center.
 - For counseling, training, awareness, and prevention programs for sexually abused, exploited, or trafficked victims.
 - To provide emergency legal advocacy to sexually abused or trafficked victims at a rate established by the Department of Legal Affairs.

The new plate will display the word “Florida” at the top of the plate, and the words “End Human Trafficking” at the bottom of the plate.

The Department of Legal Affairs may not distribute funds to any nongovernmental organization that charges victims for services received through this funding. An organization that receives the funds may not use the funds for administrative or capital expenditures. Each organization that receives funds must submit an annual attestation to the Department of Legal Affairs no later than December 31. The Department of Legal Affairs shall adopt and enforce rules to implement provisions of the bill.

B. SECTION DIRECTORY:

Section 1 Amends s. 320.08056, F.S., establishing an annual use fee of \$25 for the Safe and Free Florida specialty license plate.

Section 2 Amends s. 320.08058, F.S., directing the Department of Highway Safety and Motor Vehicles to create a Safe and Free Florida specialty license plate and provides for the distribution of the annual use fees collected.

Section 3 Provides an effective date of October 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

There is a negative but indeterminate cost to DHSMV for the programming of new specialty license plates. These costs can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Revenue generated from the sale of specialty license plates are distributed to various organizations as provided in statute.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

The Department of Legal Affairs shall adopt and enforce rules to implement the distribution of funds.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to specialty license plates; amending
 3 ss. 320.08056 and 320.08058, F.S.; directing the
 4 Department of Highway Safety and Motor Vehicles to
 5 develop a Safe and Free Florida license plate;
 6 establishing an annual use fee for the plate;
 7 providing for distribution and use of fees collected
 8 from the sale of the plates; providing for
 9 administration and distribution of funds by the
 10 Department of Legal Affairs; requiring organizations
 11 receiving funds to make annual attestation of the use
 12 of the funds; directing the Department of Legal
 13 Affairs to adopt rules; providing an effective date.

14
 15 Be It Enacted by the Legislature of the State of Florida:
 16

17 Section 1. Paragraph (ffff) is added to subsection (4) of
 18 section 320.08056, Florida Statutes, to read:

19 320.08056 Specialty license plates.—

20 (4) The following license plate annual use fees shall be
 21 collected for the appropriate specialty license plates:

22 (ffff) Safe and Free Florida license plate, \$25.

23 Section 2. Subsection (84) is added to section 320.08058,
 24 Florida Statutes, to read:

25 320.08058 Specialty license plates.—

26 (84) SAFE AND FREE FLORIDA LICENSE PLATES.—

27 (a) The department shall develop a Safe and Free Florida
 28 license plate as provided in this section and s. 320.08053. Safe
 29 and Free Florida license plates must bear the colors and design
 30 approved by the department. The word "Florida" must appear at
 31 the top of the plate, and the words "End Human Trafficking" must
 32 appear at the bottom of the plate.

33 (b) The department shall retain all annual use fees from
 34 the sale of such plates until all startup costs for developing
 35 and issuing the plates have been recovered. Thereafter, the
 36 annual use fees from the sale of the plates shall be distributed
 37 to the Department of Legal Affairs, which:

38 1. May use up to 15 percent of the proceeds to promote and
 39 market the license plate.

40 2. Shall establish a program to award grants to
 41 nongovernmental organizations that shall use the awarded funds:

42 a. To provide for the material needs of sexually abused,
 43 exploited, or trafficked victims, including, but not limited to,
 44 clothing, housing, medical care, food, utilities, and
 45 transportation.

46 b. For detoxification services.

47 c. For prenatal and postnatal care and to provide services
 48 for infants awaiting placement with adoptive parents.

49 d. To purchase or lease real estate to facilitate a safe
 50 house or a transitional care or recovery care center.

51 e. For counseling, training, awareness, and prevention
 52 programs for sexually abused, exploited, or trafficked victims.

53 f. To provide emergency legal advocacy to sexually abused
 54 or trafficked victims at a rate established by the Department of
 55 Legal Affairs.

56 (c) The Department of Legal Affairs may not distribute
 57 funds under paragraph (b) to any nongovernmental organization
 58 that charges victims for services received through this funding.
 59 An organization that receives the funds may not use the funds
 60 for administrative or capital expenditures. Each organization
 61 that receives funds must submit an annual attestation as
 62 provided in s. 320.08062 to the Department of Legal Affairs no
 63 later than December 31. The Department of Legal Affairs shall
 64 adopt and enforce rules to implement this subsection.

65 Section 3. This act shall take effect October 1, 2016.



Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
 2 Subcommittee
 3 Representative Sullivan offered the following:

Amendment

Remove lines 33-37 and insert:

7 (b) The annual use fees from the sale of the plates shall
 8 be distributed to the Department of Legal Affairs, which:

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1101 Specialty License Plates
SPONSOR(S): Slosberg
TIED BILLS: IDEN./SIM. **BILLS:** SB 1330

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Highway & Waterway Safety Subcommittee		Whittaker	Smith
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "I Stand With Israel" license plate, with an annual use fee of \$25 to be distributed to *the specified organization* which shall retain all proceeds until the startup costs for developing and establishing the plate have been recovered. Thereafter, the funds are to be used as follows:

- Up to ten percent of the proceeds for marketing and promotion of the plate and up to ten percent of the proceeds for administrative costs directly associated with its programs.
- The remainder of the proceeds for the direct support of the Israeli Youth Program to send Florida university students between the ages of 18 and 26, of all religions, and the program chaperones to Israel.

The new plate will display the word "Florida" at the top of the plate and the words "I Stand With Israel" at the bottom of the plate.

According to DHSMV, the bill will have a negative but insignificant fiscal impact to state expenditures.

An effective date of October 1, 2016 is provided in the bill.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Specialty License Plates in General

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.¹ The collected fees are distributed by the DHSMV to statutorily designated organizations in support of a particular cause or charity. Vehicles registered under the International Registration Plan, a commercial truck required to display two license plates, or truck tractors are not eligible for specialty license plates.²

Only the Legislature may create new specialty license plates. If a specialty license plate is created by law, the following requirements must then be met:

- Within 60 days, the organization must submit an art design, in a medium prescribed by DHSMV.³
- Within 120 days, DHSMV must establish a method to issue a specialty license plate voucher to allow for the pre-sale of the specialty plate.⁴
- Within 24 months after the voucher is established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin. If this requirement is not met, the plate is deauthorized and DHSMV must discontinue development of the plate and issuance of the vouchers.⁵

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 1,000 plates (does not apply to collegiate license plates).⁶

Organizations in receipt of specialty license plate revenue must adhere to certain accountability requirements found in statute. These requirements include an annual attestation document affirming, under penalty of perjury, that funds received have been spent in accordance with applicable statutes.⁷

A moratorium on the issuance of specialty license plates was imposed by lawmakers in 2008, originally set to expire in 2011. The moratorium has subsequently been extended to July 1, 2016.⁸

Effect of Proposed Changes

I Stand With Israel License Plate

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "I Stand With Israel" license plate, with an annual use fee of \$25 to be

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 15, 2016).

² s. 320.08056(2), F.S.

³ s. 320.08053(1), F.S.

⁴ s. 320.08053(2)(a), F.S.

⁵ s. 320.08053(2)(b), F.S.

⁶ s. 320.08056 (8)(a), F.S.

⁷ s. 320.08062, F. S.

⁸ Ch. 2008-176, Laws of Fla., as amended by Ch. 2010-223 and Ch. 2014-216, Laws of Fla.

distributed to the specified organization which shall retain all proceeds until the startup costs for developing and establishing the plate have been recovered. Thereafter, the funds are to be used as follows:

- Up to ten percent of the proceeds for marketing and promotion of the plate and up to ten percent of the proceeds for administrative costs directly associated with its programs.
- The remainder of the proceeds for the direct support of the Israeli Youth Program to send Florida university students between the ages of 18 and 26, of all religions, and the program chaperones to Israel.

The new plate will display the word "Florida" at the top of the plate and the words "I Stand With Israel" at the bottom of the plate.

B. SECTION DIRECTORY:

Section 1 Amends s. 320.08056, F.S., establishing an annual use fee of \$25 for the "I Stand With Israel" specialty license plate.

Section 2 Amends s. 320.08058, F.S., directing the Department of Highway Safety and Motor Vehicles to create a "I Stand With Israel" specialty license plate and provides for the distribution of the annual use fees collected.

Section 3 Provides an effective date of October 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

There is a negative but indeterminate cost to DHSMV for the programming of new specialty license plates. These costs can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Revenue generated from the sale of specialty license plates are distributed to various organizations as provided in statute.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill directs distribution of annual use fees to *'the specified organization'* on lines 30 and 33. In order to distribute the funds an actual organization will need to be named within the bill.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to specialty license plates; amending
 3 ss. 320.08056 and 320.08058, F.S.; directing the
 4 Department of Highway Safety and Motor Vehicles to
 5 develop an I Stand With Israel license plate;
 6 establishing an annual use fee for the plate;
 7 providing for distribution and use of fees collected
 8 from the sale of the plates; providing an effective
 9 date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Paragraph (ffff) is added to subsection (4) of
 14 section 320.08056, Florida Statutes, to read:

15 320.08056 Specialty license plates.—

16 (4) The following license plate annual use fees shall be
 17 collected for the appropriate specialty license plates:

18 (ffff) I Stand With Israel license plate, \$25.

19 Section 2. Subsection (84) is added to section 320.08058,
 20 Florida Statutes, to read:

21 320.08058 Specialty license plates.—

22 (84) I STAND WITH ISRAEL LICENSE PLATES.—

23 (a) The department shall develop an I Stand With Israel
 24 license plate as provided in s. 320.08053 and this section. The
 25 plate must bear the colors and design approved by the
 26 department. The word "Florida" must appear at the top of the

27 plate, and the words "I Stand With Israel" must appear at the
 28 bottom of the plate.

29 (b) Annual use fees from the sale of such plates shall be
 30 distributed to the specified organization, which shall retain
 31 all such proceeds until all startup costs for developing and
 32 establishing the plate have been recovered. Thereafter, the
 33 specified organization may use up to 10 percent of the proceeds
 34 for marketing and promotion of the plate and up to 10 percent of
 35 the proceeds for administrative costs directly associated with
 36 its programs. The remainder of the proceeds shall be used for
 37 the direct support of the Israeli Youth Program to send Florida
 38 university students between the ages of 18 and 26, of all
 39 religions, and the program chaperones to Israel.

40 Section 3. This act shall take effect October 1, 2016.



Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
 2 Subcommittee
 3 Representative Slosberg offered the following:

Amendment

6 Remove lines 30-33 and insert:
 7 distributed to I Stand with Israel, Inc., which shall retain all
 8 such proceeds until all startup costs for developing and
 9 establishing the plate have been recovered. Thereafter, I Stand
 10 with Israel, Inc., may use up to 10 percent of the proceeds

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1103 Specialty License Plates
SPONSOR(S): Latvala
TIED BILLS: IDEN./SIM. **BILLS:** SB 1276

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Highway & Waterway Safety Subcommittee		Whittaker	Smith
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "Go Boating" license plate, with an annual use fee of \$25 to be distributed to Eckerd College to fund the Eckerd College Search and Rescue Team. The funds will be distributed as follows:

- Up to 10 percent for continuing promotion and marketing of the plate.
- The remainder to acquire boats and other equipment or for operational expenses.

The new plate will display the word "Florida" at the top of the plate and the words "Go Boating" at the bottom of the plate.

The bill also revises the distribution of the annual use fee from the sale of the "Conserve Wildlife" specialty license plate allowing for funds to be expended to provide bear-resistant residential garbage containers.

According to DHSMV, the bill will have a negative but insignificant fiscal impact to state expenditures.

An effective date of October 1, 2016 is provided in the bill.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Specialty License Plates in General

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.¹ The collected fees are distributed by the DHSMV to statutorily designated organizations in support of a particular cause or charity. Vehicles registered under the International Registration Plan, a commercial truck required to display two license plates, or truck tractors are not eligible for specialty license plates.²

Only the Legislature may create new specialty license plates. If a specialty license plate is created by law, the following requirements must then be met:

- Within 60 days, the organization must submit an art design, in a medium prescribed by DHSMV.³
- Within 120 days, DHSMV must establish a method to issue a specialty license plate voucher to allow for the pre-sale of the specialty plate.⁴
- Within 24 months after the voucher is established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin. If this requirement is not met, the plate is deauthorized and DHSMV must discontinue development of the plate and issuance of the vouchers.⁵

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 1,000 plates (does not apply to collegiate license plates).⁶

Organizations in receipt of specialty license plate revenue must adhere to certain accountability requirements found in statute. These requirements include an annual attestation document affirming, under penalty of perjury, that funds received have been spent in accordance with applicable statutes.⁷

A moratorium on the issuance of specialty license plates was imposed by lawmakers in 2008, originally set to expire in 2011. The moratorium has subsequently been extended to July 1, 2016.⁸

Effect of Proposed Changes

Go Boating License Plate

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "Go Boating" license plate, with an annual use fee of \$25 to be distributed

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 15, 2016).

² s. 320.08056(2), F.S.

³ s. 320.08053(1), F.S.

⁴ s. 320.08053(2)(a), F.S.

⁵ s. 320.08053(2)(b), F.S.

⁶ s. 320.08056 (8)(a), F.S.

⁷ s. 320.08062, F. S.

⁸ Ch. 2008-176, Laws of Fla., as amended by Ch. 2010-223 and Ch. 2014-216, Laws of Fla.

to Eckerd College to fund the Eckerd College Search and Rescue Team, which provides 24-hour assistance to the Tampa Bay boating community. The funds will be distributed as follows:

- Up to 10 percent may be used for continuing promotion and marketing of the plate.
- The remainder must be used to acquire boats and other equipment or for operational expenses not prohibited by s. 320.08056(10).

The new plate will display the word "Florida" at the top of the plate and the words "Go Boating" at the bottom of the plate.

Eckerd College Search and Rescue Team

The Eckerd College Search and Rescue Team works closely with the US Coast Guard, 911 Emergency Medical Response, and other state and local agencies, to provide maritime assistance to the boaters of Tampa Bay. Students are trained in technical rescue, boating safety, seamanship, searching, fire fighting, de-watering, navigation, medical response, and evening piloting rescue vessels. The team was founded in 1971 in an effort to provide safety services for the college's watersports activities. In 1977, the Eckerd College Search and Rescue Team extended its rescue services to the Tampa Bay boating community.⁹

Revised Distribution of the Conserve Wildlife License Plate Fees

Currently, the proceeds from the annual use fee from the sale of the Conserve Wildlife license plate are used for programs and activities of the Fish and Wildlife Conservation Commission that contribute to the health and well-being of Florida black bears and other wildlife diversity.¹⁰ The bill revises the distribution of the annual use fees to provide bear-resistant residential garbage containers.

B. SECTION DIRECTORY:

Section 1 Amends s. 320.08056, F.S., establishing an annual use fee of \$25 for the Go Boating specialty license plate.

Section 2 Amends s. 320.08058, F.S., revising the purpose for which certain proceeds of the Conserve Wildlife license plate are used; directing the Department of Highway Safety and Motor Vehicles to create a Go Boating specialty license plate and provides for the distribution of the annual use fees collected.

Section 3 Provides an effective date of October 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

There is a negative but indeterminate cost to DHSMV for the programming of new specialty license plates. These costs can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

⁹ Eckerd College, *Eckerd College Search and Rescue*, <http://www.eckerd.edu/waterfront/ecsar/> (last visited January 4, 2016)

¹⁰ s. 320.08058(24)(b)2., F.S.

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Revenue generated from the sale of specialty license plates are distributed to various organizations as provided in statute.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to specialty license plates; amending
 3 s. 320.08056, F.S.; establishing an annual use fee for
 4 the Go Boating license plate; amending s. 320.08058,
 5 F.S.; revising the purpose for which certain proceeds
 6 of the Conserve Wildlife license plate are used;
 7 directing the Department of Highway Safety and Motor
 8 Vehicles to develop a Go Boating license plate;
 9 providing for distribution and use of fees collected
 10 from the sale of the plate; providing an effective
 11 date.

12
 13 Be It Enacted by the Legislature of the State of Florida:

14
 15 Section 1. Paragraph (ffff) is added to subsection (4) of
 16 section 320.08056, Florida Statutes, to read:

17 320.08056 Specialty license plates.—

18 (4) The following license plate annual use fees shall be
 19 collected for the appropriate specialty license plates:

20 (ffff) Go Boating license plate, \$25.

21 Section 2. Paragraph (b) of subsection (24) of section
 22 320.08058, Florida Statutes, is amended, and subsection (84) is
 23 added to that section, to read:

24 320.08058 Specialty license plates.—

25 (24) CONSERVE WILDLIFE LICENSE PLATES.—

26 (b) The proceeds of the Conserve Wildlife license plate

27 | annual use fee shall be forwarded to the Wildlife Foundation of
 28 | Florida, Inc., a citizen support organization created pursuant
 29 | to s. 379.223.

30 | 1. Notwithstanding s. 320.08062, up to 10 percent of the
 31 | proceeds from the annual use fee may be used for marketing the
 32 | Conserve Wildlife license plate and administrative costs
 33 | directly related to the management and distribution of the
 34 | proceeds.

35 | 2. The remaining proceeds from the annual use fee shall be
 36 | used for programs and activities of the Fish and Wildlife
 37 | Conservation Commission which ~~that~~ contribute to the health and
 38 | well-being of Florida black bears and to provide bear-resistant
 39 | residential garbage containers ~~other wildlife diversity~~.

40 | (84) GO BOATING LICENSE PLATES.-

41 | (a) The department shall develop a Go Boating license
 42 | plate as provided in this section and s. 320.08053. The plate
 43 | must bear the colors and design approved by the department. The
 44 | word "Florida" must appear at the top of the plate, and the
 45 | words "Go Boating" must appear at the bottom of the plate.

46 | (b) The annual use fees from the sale of the plate shall
 47 | be distributed to Eckerd College to fund the Eckerd College
 48 | Search and Rescue Team, which provides 24-hour assistance to the
 49 | Tampa Bay boating community. Up to 10 percent of the funds
 50 | distributed may be used by the Eckerd College Search and Rescue
 51 | Team for continuing promotion and marketing of the license
 52 | plate. The remainder of the funds must be used to acquire boats

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53 | and other equipment or for operational expenses not prohibited
54 | by s. 320.08056(10).

55 | Section 3. This act shall take effect October 1, 2016.



Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
 2 Subcommittee

3 Representative Latvala offered the following:

4

5 **Amendment**

6 Remove line 49 and insert:

7 Tampa Bay boating community. Up to 15 percent of the funds

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1141 Specialty License Plates/Ronald Reagan

SPONSOR(S): Baxley

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Highway & Waterway Safety Subcommittee		Whittaker	Smith
2) Transportation & Economic Development Appropriations Subcommittee			
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "President Ronald Reagan" license plate, with an annual use fee of \$25 to be distributed to Florida Ronald Reagan Centennial, Inc., and used as follows:

- Up to 15 percent of the proceeds for administrative costs of the organization.
- Up to 10 percent of the proceeds for promotion and marketing of the plate.
- Up to 10 percent of the proceeds shall be donated to the Florida National Guard Foundation.
- The remainder of the proceeds shall be used to fund activities, programs, and projects that educate Florida's students and citizens about the contributions of the nation's 40th President to the state and the United States and to support ongoing research of Alzheimer's disease for the benefit of Florida citizens and their families who suffer from the disease.

The new plate will display the word "Florida" at the top of the plate and the words "President Ronald Reagan" at the bottom of the plate.

According to DHSMV, the bill will have a negative but insignificant fiscal impact to state expenditures.

An effective date of October 1, 2016 is provided in the bill.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Specialty License Plates in General

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.¹ The collected fees are distributed by the DHSMV to statutorily designated organizations in support of a particular cause or charity. Vehicles registered under the International Registration Plan, a commercial truck required to display two license plates, or truck tractors are not eligible for specialty license plates.²

Only the Legislature may create new specialty license plates. If a specialty license plate is created by law, the following requirements must then be met:

- Within 60 days, the organization must submit an art design, in a medium prescribed by DHSMV.³
- Within 120 days, DHSMV must establish a method to issue a specialty license plate voucher to allow for the pre-sale of the specialty plate.⁴
- Within 24 months after the voucher is established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin. If this requirement is not met, the plate is deauthorized and DHSMV must discontinue development of the plate and issuance of the vouchers.⁵

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations falls below 1,000 plates (does not apply to collegiate license plates).⁶

Organizations in receipt of specialty license plate revenue must adhere to certain accountability requirements found in statute. These requirements include an annual attestation document affirming, under penalty of perjury, that funds received have been spent in accordance with applicable statutes.⁷

A moratorium on the issuance of specialty license plates was imposed by lawmakers in 2008, originally set to expire in 2011. The moratorium has subsequently been extended to July 1, 2016.⁸

Effect of Proposed Changes

President Ronald Reagan License Plate

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 15, 2016).

² s. 320.08056(2), F.S.

³ s. 320.08053(1), F.S.

⁴ s. 320.08053(2)(a), F.S.

⁵ s. 320.08053(2)(b), F.S.

⁶ s. 320.08056 (8)(a), F.S.

⁷ s. 320.08062, F. S.

⁸ Ch. 2008-176, Laws of Fla., as amended by Ch. 2010-223 and Ch. 2014-216, Laws of Fla.

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate designated as the "President Ronald Reagan" license plate, with an annual use fee of \$25 to be distributed to Florida Ronald Reagan Centennial, Inc. and used as follows:

- Up to 15 percent of the proceeds may be used for administrative costs of the organization.
- Up to 10 percent of the proceeds may be used for promotion and marketing of the plate.
- Up to 10 percent of the proceeds shall be donated to the Florida National Guard Foundation.
- The remainder of the proceeds shall be used to fund activities, programs, and projects that educate Florida's students and citizens about the contributions of the nation's 40th President to the state and the United States and to support ongoing research of Alzheimer's disease for the benefit of Florida citizens and their families who suffer from the disease.

The new plate will display the word "Florida" at the top of the plate, and the words "President Ronald Reagan" at the bottom of the plate.

Florida Ronald Reagan Centennial, Inc.

The Florida Ronald Reagan Centennial, Inc is a 501(c)3 non-profit organized in the State of Florida. Established four years ago, the primary purpose of the organization is to promote research and a cure for Alzheimer's disease.

B. SECTION DIRECTORY:

Section 1 Amends s. 320.08056, F.S., establishing an annual use fee of \$25 for the President Ronald Reagan specialty license plate.

Section 2 Amends s. 320.08058, F.S., directing the Department of Highway Safety and Motor Vehicles to create a President Ronald Reagan specialty license plate and provides for the distribution of the annual use fees collected.

Section 3 Provides an effective date of October 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None

2. Expenditures:

There is a negative but indeterminate cost to DHSMV for the programming of new specialty license plates. These costs can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Revenue generated from the sale of specialty license plates are distributed to various organizations as provided in statute.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

None

C. DRAFTING ISSUES OR OTHER COMMENTS:

None

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled
 2 An act relating to specialty license plates; amending
 3 ss. 320.08056 and 320.08058, F.S.; directing the
 4 Department of Highway Safety and Motor Vehicles to
 5 develop a Ronald Reagan license plate; establishing an
 6 annual use fee for the plate; providing for
 7 distribution and use of fees collected from the sale
 8 of the plates; providing an effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Paragraph (ffff) is added to subsection (4) of
 13 section 320.08056, Florida Statutes, to read:

14 320.08056 Specialty license plates.—

15 (4) The following license plate annual use fees shall be
 16 collected for the appropriate specialty license plates:

17 (ffff) Ronald Reagan license plate, \$25.

18 Section 2. Subsection (84) is added to section 320.08058,
 19 Florida Statutes, to read:

20 320.08058 Specialty license plates.—

21 (84) RONALD REAGAN LICENSE PLATES.—

22 (a) The department shall develop a Ronald Reagan license
 23 plate as provided in this section and s. 320.08053. The plate
 24 must bear the colors and design approved by the department. The
 25 word "Florida" must appear at the top of the plate, and the
 26 words "President Ronald Reagan" must appear at the bottom of the

27 | plate.

28 | (b) The department shall retain all annual use fees from
 29 | the sale of such plates until all startup costs for developing
 30 | and issuing the plates have been recovered. Thereafter, the
 31 | annual use fees from the sale of the plate shall be distributed
 32 | to Florida Ronald Reagan Centennial, Inc., to be used as
 33 | follows:

34 | 1. Up to 15 percent of the proceeds may be used for
 35 | administrative costs of the organization.

36 | 2. Up to 10 percent of the proceeds may be used for
 37 | promotion and marketing of the plate.

38 | 3. Up to 10 percent of the proceeds shall be donated to
 39 | the Florida National Guard Foundation.

40 | 4. The remainder of the proceeds shall be used to fund
 41 | activities, programs, and projects that educate Florida's
 42 | students and citizens about the contributions of the nation's
 43 | 40th President to the state and the United States and to support
 44 | ongoing research of Alzheimer's disease for the benefit of
 45 | Florida citizens and their families who suffer from the disease.

46 | Section 3. This act shall take effect October 1, 2016.



Amendment No. 1.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Highway & Waterway Safety
 2 Subcommittee
 3 Representative Baxley offered the following:

Amendment

Remove lines 28-31 and insert:

7 (b) The annual use fees from the sale of the plate shall be
 8 distributed