



Highway & Waterway Safety Subcommittee

MEETING PACKET

**Tuesday, January 26, 2016
10:00 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: Tuesday, January 26, 2016 10:00 am
End Date and Time: Tuesday, January 26, 2016 11:00 am
Location: 116 Knott Building
Duration: 1.00 hrs

Consideration of the following bill(s):

HB 871 Broward County by Clarke-Reed
HB 1349 Specialty License Plates/National Pan-Hellenic Council Sorority or Fraternity by Williams, A.

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., Monday, January 25, 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., Monday, January 25, 2016.

NOTICE FINALIZED on 01/22/2016 4:06PM by Lawhon.Amanda

HOUSE OF REPRESENTATIVES LOCAL BILL STAFF ANALYSIS

BILL #: HB 871 Broward County
SPONSOR(S): Clarke-Reed
TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local Government Affairs Subcommittee	9 Y, 0 N	Darden	Miller
2) Highway & Waterway Safety Subcommittee		Whittaker	Smith <i>MS</i>
3) Local & Federal Affairs Committee			

SUMMARY ANALYSIS

The Fish and Wildlife Conservation Commission (FWC), counties, and municipalities may establish “boating-restricted areas,” placing limits on vessel speed and numbers, for the purpose of protecting public safety. To enforce speed limits in “boating-restricted areas,” FWC must place regulatory markers (such as speed limit signs). The New River Canal and the Florida Intracoastal Waterway in Broward County are defined as “boating-restricted areas.” Current law directs Broward County to bear the cost of providing speed limit signs and directs that each incorporated area within the county shall bear the cost of erecting any signs to be placed within its boundaries.

The bill repeals current law requiring Broward County to pay for the cost of providing the speed limit signs and requiring each incorporated area within the county to bear the cost of erecting any signs to be placed within its boundaries. Any responsibility for constructing and maintaining signs after the passage of the act would pass to FWC under general law. The bill also repeals a provision specifying that a person who operates a vessel in excess of the maximum speed limit in New River Canal and the Florida Intracoastal Waterway is guilty of a non-criminal infraction to be punished under s. 318.18(3), F.S. Persons found to have operated a vessel in excess of the maximum speed limit would therefore be liable according to general law.

Broward County currently spends \$30,000 per year on “upgrades” to the speed limit signs. The bill would shift those costs from the county to FWC.

This bill would take effect upon becoming law.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Boating-Restricted Areas

Under the Florida Vessel Safety Law, boating-restricted areas may be established for “any purpose necessary to protect the safety of the public,” as long as the restrictions relate to boating accidents, visibility, hazardous currents or waters levels, vessel traffic congestion, or other navigational hazards.¹ Both vessel speed and vessel traffic may be restricted.²

A boating-restricted area may be created by the Fish and Wildlife Conservation Commission (FWC) by adopting an administrative rule pursuant to ch. 120, F.S.,³ or by a county or municipality by adoption of an ordinance.⁴ Boating can only be restricted in an area with consultation and coordination with the governing body of the county or municipality where the area is located, and with the Coast Guard and Army Corps of Engineers, where the area is part of the navigable waters of the United States.⁵ The current federal definition of navigable waters of the United States includes:

- All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- All interstate waters, including interstate wetlands;
- All other waters, including intrastate waters, that could affect interstate or foreign commerce;
- All tributaries of those waters previously described;
- The territorial sea; and
- Wetlands adjacent to those waters previously described (but are not themselves wetlands).⁶

It is unlawful to operate a vessel in a boating-restricted area or to carry on any prohibited activity,⁷ if the area has been clearly marked by regulatory markers.⁸ Violating the Florida Vessel Safety Law is a noncriminal infraction,⁹ and violators are subject to a \$50 fine.¹⁰ The restriction and penalties do not apply in the case of an emergency, or to any law enforcement, firefighting, or rescue vessel owned or operated by a governmental entity.¹¹

The ability to enforce regulations in boating-restricted areas is dependent upon the placement of regulatory markers.¹² FWC is required to adopt rules establishing a uniform system of regulatory markers compatible with Coast Guard regulations.¹³ Counties and municipalities which have been granted a boating-restricted area designation for a portion of the Florida Intracoastal Waterway may

¹ Section 327.46(1), F.S.

² *Id.*

³ Section 327.46(1)(a), F.S.

⁴ Section 327.46(1)(b)-(c), F.S.

⁵ Section 327.46(2), F.S.

⁶ 40 C.F.R. §110.1 (2015).

⁷ “Prohibited activity” is defined for the purposes of ch. 327 as an “activity that will impede or disturb navigation or creates a safety hazard on waterways of this state.” s. 327.02(35), F.S.

⁸ Section 327.46(3), F.S.

⁹ Section 327.73(1)(k), F.S.

¹⁰ Section 327.73(1), F.S.

¹¹ Section 327.46(4), F.S.

¹² See s. 327.46(3), F.S.

¹³ Section 327.41(1), F.S.

apply to FWC for permission to place regulatory markers under the procedures of s. 327.40, F.S.¹⁴

Boating-Restricted Areas in Broward County

Chapter 86-364, Laws of Florida, established a speed limit of thirty miles per hour for vessels travelling on the New River Canal and Florida Intracoastal Waterway.¹⁵ Boaters are informed of the speed limit by signs at locations designated by Division of Law Enforcement of FWC.¹⁶ Broward County is responsible for the cost of erecting and maintaining the signs in unincorporated areas, while municipalities are responsible for these costs for any sign inside their boundaries.¹⁷ The speed limit set by the act does not apply in regulatory zones, idle speed/no wake zones, and manatee zones.¹⁸

Boating restrictions are enforced by the Division of Law Enforcement of FWC and other law enforcement officers.¹⁹ FWC has also adopted a rule concerning "Broward County Boating Restricted Areas."²⁰ An earlier version of this rule specifically authorized Broward County to install and maintain regulatory markers, as directed by the Division of Law Enforcement, within boating-restricted areas.²¹ This authorization was removed with the intention of shifting authority and responsibility for managing regulatory markers along the Florida Intracoastal Waterway from Broward County and the City of Fort Lauderdale to FWC.²²

Effect of Proposed Changes

The bill transfers authority for the construction and maintenance of speed limit signs along the New River Canal and Florida Intracoastal Waterway in Broward County from the county to FWC.

The bill removes a provision stating that operating a vessel in excess of the maximum speed limit in the New River Canal and the Florida Intracoastal Waterway is a non-criminal infraction punishable by a civil penalty "computed in accordance with [the] provisions [of] ... s. 318.18(3), F.S." Vessel operators who exceed the maximum speed limit would instead be liable under the provisions of s. 327.73, F.S.

Broward County has previously spent money erecting speed limit signs in the New River Canal and Florida Intracoastal Waterway.²³ Most of these signs are still in good condition and the county currently spends approximately \$30,000 a year for upgrades as part of its Parks and Recreation budget.²⁴ FWC maintains ninety percent of the markers for manatee protection.²⁵

B. SECTION DIRECTORY:

Section 1: Amends ch. 86-364, Laws of Florida, concerning speed limit signs on the New River Canal and Florida Intracoastal Waterway, Broward County.

Section 2: Provides that the bill shall take effect upon becoming law.

¹⁴ Section 327.41(2), F.S.

¹⁵ Ch. 86-364, s. 1, Laws of Fla.

¹⁶ Ch. 86-364, s. 2, Laws of Fla. The Florida Marine Patrol's functions are now part of FWC's Division of Law Enforcement.

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ Section 327.70(1), F.S.

²⁰ Rule 68D-24.008, F.A.C. (effective 7/21/13).

²¹ Rule 68D-24.008(3), F.A.C. (effective 12/18/94).

²² Letter from Major Richard Moore, Boating and Waterways Section Leader, FWC, to Barbara Sharief, Mayor of Broward County, Re: Broward County Special Acts of Local Application Numbers 86-364 and 89-428, dated 2/10/14. A copy of this letter is on file with the House Local Government Affairs Subcommittee.

²³ Economic Impact Statement for HB 869 (2015).

²⁴ *Id.*

²⁵ *Id.*

II. NOTICE/REFERENDUM AND OTHER REQUIREMENTS

A. NOTICE PUBLISHED? Yes No

IF YES, WHEN? October 4, 2015

WHERE? The Sun-Sentinel, a daily newspaper published in Broward, Palm Beach, and Miami-Dade Counties, Florida.

B. REFERENDUM(S) REQUIRED? Yes No

IF YES, WHEN?

C. LOCAL BILL CERTIFICATION FILED? Yes, attached No

D. ECONOMIC IMPACT STATEMENT FILED? Yes, attached No

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

This bill does not provide authority or require executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

SUN-SENTINEL
Published Daily
Fort Lauderdale, Broward County, Florida
Boca Raton, Palm Beach County, Florida
Miami, Miami-Dade County, Florida

STATE OF FLORIDA

COUNTY OF: BROWARD/PALM BEACH/MIAMI-DADE

Before the undersigned authority personally appeared

MARK KUZAITZ, who on oath says that he or she is a duly authorized representative of the SUN- SENTINEL, a DAILY newspaper published in BROWARD/PALM BEACH/MIAMI-DADE County, Florida; that the attached copy of advertisement, being a Legal Notice in:

The matter of 11745-Other Legal Notices

BROWARD COUNTY
Lombardo, Faith

Was published in said newspaper in the issues of; Oct 04, 2015

3635315

Affiant further says that the said SUN-SENTINEL is a newspaper published in said BROWARD/PALM BEACH/MIAMI-DADE County, Florida, and that the said newspaper has heretofore been continuously published in said BROWARD/PALM BEACH/MIAMI-DADE County, Florida, each day and has been entered as second class matter at the post office in BROWARD County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised, any person, firm or corporation, any discount, rebate, commission or refund, for the purpose of securing this advertisement for publication in the said newspaper.

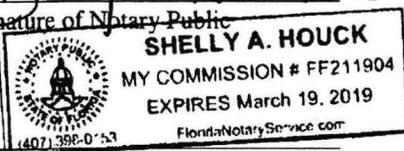
Mark Kuzaitz

Signature of Affiant

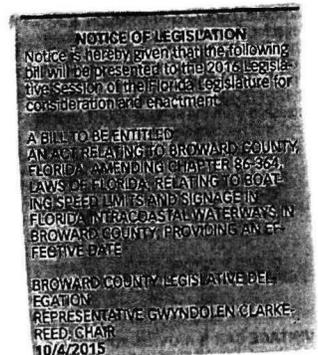
Sworn to and subscribed before me this: October 05, 2015.

Shelly A. Houck

Signature of Notary Public



Name of Notary, Typed, Printed, or Stamped
Personally Known (X) or Produced Identification ()



Order # - 3635315

HOUSE OF REPRESENTATIVES
2016 LOCAL BILL CERTIFICATION FORM

BILL #: HB 871
SPONSOR(S): Representative Gwyndolen Clark-Reed
RELATING TO: Broward County - Waterway Speed Limit & Signage
(Indicate Area Affected (City, County, or Special District) and Subject)
NAME OF DELEGATION: Broward Legislative Delegation
CONTACT PERSON: Andrea Knowles
PHONE NO.: (954) 325 2980 E-Mail: Aknowles@broward.org

- I. *House local bill policy requires the following steps must occur before a committee or subcommittee of the House considers a local bill:*
- (1) *The members of the local legislative delegation must certify that the purpose of the bill cannot be accomplished at the local level;*
 - (2) *The legislative delegation must hold a public hearing in the area affected for the purpose of considering the local bill issue(s); and*
 - (3) *The bill must be approved by a majority of the legislative delegation, or a higher threshold if so required by the rules of the delegation, at the public hearing or at a subsequent delegation meeting.*
 - (4) *An Economic Impact Statement for local bills must be prepared at the local level and submitted to the Local Government Affairs Subcommittee. Under House policy, no local bill will be considered by a committee or subcommittee without an Economic Impact Statement.*

(1) Does the delegation certify the purpose of the bill cannot be accomplished by ordinance of a local governing body without the legal need for a referendum?

YES NO

(2) Did the delegation conduct a public hearing on the subject of the bill?

YES NO

Date hearing held: September 29, 2015

Location: Broward County Governmental Center

(3) Was this bill formally approved by a majority of the delegation members?

YES NO

(4) Was an Economic Impact Statement prepared at the local level and submitted to the Local Government Affairs Subcommittee?

YES NO

- II. *Article III, Section 10 of the State Constitution prohibits passage of any special act unless notice of intention to seek enactment of the bill has been published as provided by general law (s. 11.02, F. S.) or the act is conditioned to take effect only upon approval by referendum vote of the electors in the area affected.*

Has this constitutional notice requirement been met?

Notice published: YES NO DATE October 4, 2015

Where? Sun-Sentinel County Broward

Referendum in lieu of publication: YES [] NO

Date of Referendum _____

III. *Article VII, Section 9(b) of the State Constitution prohibits passage of any bill creating a special taxing district, or changing the authorized millage rate for an existing special taxing district, unless the bill subjects the taxing provision to approval by referendum vote of the electors in the area affected.*

(1) Does the bill create a special district and authorize the district to impose an ad valorem tax?

YES [] NO

(2) Does this bill change the authorized ad valorem millage rate for an existing special district?

YES [] NO

If the answer to question (1) or (2) is YES, does the bill require voter approval of the ad valorem tax provision(s)?

YES [] NO []

Please submit this completed, original form to the Local Government Affairs Subcommittee.

Gwendolen Clarke-Reed
Delegation Chair (Original Signature)

12/17/15
Date

Gwendolen Clarke-Reed
Printed Name of Delegation Chair

**HOUSE OF REPRESENTATIVES
2016 ECONOMIC IMPACT STATEMENT FORM**

Read all instructions carefully.

House local bill policy requires that no local bill will be considered by a committee or a subcommittee without an Economic Impact Statement. This form must be prepared at the LOCAL LEVEL by an individual who is qualified to establish fiscal data and impacts and has personal knowledge of the information given (for example, a chief financial officer of a particular local government). Please submit this completed, original form to the Local Government Affairs Subcommittee as soon as possible after a bill is filed. Additional pages may be attached as necessary.

BILL #:

871

SPONSOR(S):

Gwendolen Clarke-Reed

RELATING TO:

Broward County

[Indicate Area Affected (City, County or Special District) and Subject]

I. REVENUES:

These figures are new revenues that would not exist but for the passage of the bill. The term "revenue" contemplates, but is not limited to, taxes, fees and special assessments. For example, license plate fees may be a revenue source. If the bill will add or remove property or individuals from the tax base, include this information as well.

	<u>FY 16-17</u>	<u>FY 17-18</u>
Revenue decrease due to bill:	\$ <u>0</u>	\$ <u>0</u>
Revenue increase due to bill:	\$ <u>0</u>	\$ <u>0</u>

II. COST:

Include all costs, both direct and indirect, including start-up costs. If the bill repeals the existence of a certain entity, state the related costs, such as satisfying liabilities and distributing assets.

Expenditures for Implementation, Administration and Enforcement:

	<u>FY 16-17</u>	<u>FY 17-18</u>
	\$ <u>0</u>	\$ <u>0</u>

Please include explanations and calculations regarding how each dollar figure was determined in reaching total cost.

The Florida Fish and Wildlife Commission already covers
costs of ~~sign~~ signage

III. FUNDING SOURCE(S):

State the specific sources from which funding will be received, for example, license plate fees, state funds, borrowed funds, or special assessments.

If certain funding changes are anticipated to occur beyond the following two fiscal years, explain the change and at what rate taxes, fees or assessments will be collected in those years.

	<u>FY 16-17</u>	<u>FY 17-18</u>
Local:	\$ <u>0</u>	\$ <u>0</u>
State:	\$ <u>0</u>	\$ <u>0</u>
Federal:	\$ <u>0</u>	\$ <u>0</u>

IV. ECONOMIC IMPACT:

Potential Advantages:

Include all possible outcomes linked to the bill, such as increased efficiencies, and positive or negative changes to tax revenue. If an act is being repealed or an entity dissolved, include the increased or decreased efficiencies caused thereby.

Include specific figures for anticipated job growth.

- 1. Advantages to Individuals: None
- 2. Advantages to Businesses: None
- 3. Advantages to Government: Increased efficiencies as one entity will be responsible for the signage.

Potential Disadvantages:

Include all possible outcomes linked to the bill, such as inefficiencies, shortages, or market changes anticipated.

Include reduced business opportunities, such as reduced access to capital or training.

State any decreases in tax revenue as a result of the bill.

- 1. Disadvantages to Individuals: None

2. Disadvantages to Businesses: None

3. Disadvantages to Government: None

V. DESCRIBE THE POTENTIAL IMPACT OF THE BILL ON PRESENT GOVERNMENTAL SERVICES:

None

VI. SPECIFIC DATA USED IN REACHING ESTIMATES:

Include the type(s) and source(s) of data used, percentages, dollar figures, all assumptions made, history of the industry/issue affected by the bill, and any audits.

N/A

VII. CERTIFICATION BY PREPARER

I hereby certify I am qualified to establish fiscal data and impacts and have personal knowledge of the information given. I have reviewed all available financial information applicable to the substance of the above-stated local bill and confirm the foregoing Economic Impact Statement is a true and accurate estimate of the economic impact of the bill.

PREPARED BY:



[Must be signed by Preparer]

Print preparer's name:

C. Marty Cassini

8-18-15

Date

TITLE (such as Executive Director, Actuary, Chief Accountant, or Budget Director):

REPRESENTING:

Broward County

PHONE:

954-357-7575

E-MAIL ADDRESS:

mcassini@broward.org

1 A bill to be entitled
 2 An act relating to Broward County; amending chapter
 3 86-364, Laws of Florida, as amended; repealing a civil
 4 penalty for an operator of a vessel exceeding the
 5 speed limit in specified waterways; providing
 6 applicability; repealing requirements for the erection
 7 of waterway speed limit signs; providing an effective
 8 date.

9

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

11

12 Section 1. Chapter 86-364, Laws of Florida, as amended by
 13 chapter 89-428, Laws of Florida, is amended to read:

14 Section 1. (1) The maximum speed limit on the New River
 15 Canal and Florida Intracoastal Waterway in Broward County is 30
 16 miles per hour, except in those areas posted "idle speed/no
 17 wake" or "slow down/minimum wake."

18 ~~(2) Any person who operates a vessel in excess of the~~
 19 ~~maximum speed limit is guilty of a noncriminal infraction,~~
 20 ~~punishable by a civil penalty. The amount of the civil penalty~~
 21 ~~shall be computed in accordance with provisions pertaining to~~
 22 ~~penalties for unlawful speed under section 318.18(3), Florida~~
 23 ~~Statutes.~~

24 (2) ~~(3)~~ The maximum allowable wake created by any vessel,
 25 regardless of the speed or size of the vessel, is 15 inches in
 26 vertical height, measured from the ambient tide level to the

27 crest of the vessel's wake at a distance not less than 25 feet
 28 from the vessel. For the purposes of this subsection, "wake"
 29 means all changes in the vertical level of the water's surface
 30 caused by the passage of a vessel including, but not limited to,
 31 a vessel's bow wave, stern wake, and propeller wash. This
 32 subsection does not authorize a vessel proceeding with a wake of
 33 15 inches or less to travel at a speed in excess of "idle
 34 speed/no wake" or "slow down/minimum wake" when in such boating-
 35 restricted areas. Any person who violates this subsection is
 36 guilty of a misdemeanor of the second degree, punishable as
 37 provided in section 775.082 or section 775.083, Florida
 38 Statutes.

39 (3)~~(4)~~ This section does not apply to any person operating
 40 a vessel as a participant in, or during officially sanctioned
 41 trial runs preceding or following, a lawfully permitted regatta
 42 or boat race or to any governmental officer or employee
 43 operating a law enforcement, U. S. Coast Guard, or fire or
 44 rescue vessel in the performance of his official duties.

45 (4)~~(5)~~ For the purposes of enforcement of subsection (1),
 46 law enforcement officers may use aircraft, vessels, manual or
 47 electronic timing devices, or radar. If radar is used, the
 48 provisions of section 316.1906, Florida Statutes, must be
 49 complied with.

50 (5)~~(6)~~ For the purposes of enforcement of subsection (2)
 51 ~~(3)~~, law enforcement officers may use mechanical, electronic, or
 52 photographic measuring devices.

53 ~~(6)~~(7)(a) A person may not operate any vessel on the New
 54 River Canal or Florida Intracoastal Waterway in Broward County
 55 in such a manner as to exceed a maximum sound level of 80 dB A
 56 at a distance of 50 feet from the vessel.

57 (b) Any person who violates this subsection or refuses to
 58 submit to a sound level test when requested to do so by a law
 59 enforcement officer is guilty of a misdemeanor of the second
 60 degree, punishable as provided in section 775.082 or section
 61 775.083, Florida Statutes.

62 ~~(7)~~(8) An alleged violator of this section shall be issued
 63 a uniform boating citation, as provided in section 327.74,
 64 Florida Statutes. A finding of guilt for the violation of any
 65 provision of this section, irrespective of the withholding of
 66 adjudication or sentence, shall be considered as a conviction
 67 for a violation of chapter 327, Florida Statutes, and the
 68 provisions of section 327.731, Florida Statutes, shall apply.
 69 The speed limit provisions of this section do not apply to
 70 regulatory zones, idle speed/no wake zones, slow speed/minimum
 71 wake zones, or manatee protection zones. The courts shall
 72 forward one-half of all moneys received as fines or civil
 73 penalties for violations of this chapter to the State Treasurer
 74 for deposit to the Motorboat Revolving Trust Fund.

75 ~~Section 2.~~ ~~The Florida Marine Patrol shall designate where~~
 76 ~~speed limit signs shall be located. The county shall bear the~~
 77 ~~cost of providing such signs, and each incorporated area within~~
 78 ~~the county shall bear the cost of erecting any signs to be~~

HB 871

2016

79 ~~placed within its corporate boundaries. The speed limit~~
80 ~~provisions of this section shall not apply to regulatory zones,~~
81 ~~idle speed/no wake zones or manatee areas.~~

82 Section 2. This act shall take effect upon becoming a law.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1349 Specialty License Plates/National Pan-Hellenic Council Sorority or Fraternity
SPONSOR(S): Williams
TIED BILLS: **IDEN./SIM. BILLS:** SB 1008

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

SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create the below eight National Pan-Hellenic Council Sorority and Fraternity specialty license plates, with an annual use fee of \$25 for each plate:

- Alpha Phi Alpha Fraternity
- Omega Psi Phi Fraternity
- Kappa Alpha Psi Fraternity
- Phi Beta Sigma Fraternity
- Zeta Phi Beta Sorority
- Delta Sigma Theta Sorority
- Alpha Kappa Alpha Sorority
- Sigma Gamma Rho Sorority

The annual use fees from the sale of each plate will be distributed as follows:

- Ten percent to the respective Fraternity or Sorority organization, solely for marketing of the plate.
- Eighty-five percent to promote community awareness and action through educational, economic, and cultural service activities.
- Five percent to the United Negro College Fund to be used for college scholarships for Florida residents attending Historically Black Colleges and Universities.

The new plates will display the word "Florida" at the top of the plate and the name of the respective sorority or fraternity must appear 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

Pan-Hellenic Sorority or Fraternity

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create the below eight National Pan-Hellenic Council Sorority and Fraternity specialty license plates, with an annual use fee of \$25 for each plate:

- Alpha Phi Alpha Fraternity

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 22, 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.

- Omega Psi Phi Fraternity
- Kappa Alpha Psi Fraternity
- Phi Beta Sigma Fraternity
- Zeta Phi Beta Sorority
- Delta Sigma Theta Sorority
- Alpha Kappa Alpha Sorority
- Sigma Gamma Rho Sorority

The annual use fees from the sale of each respective plate will be distributed as follows:

Alpha Phi Alpha Fraternity, Inc.

- Ten percent shall be distributed to the Florida Federation of Alpha Chapters, solely for marketing of the plate.
- Eighty-five percent shall be distributed to the Florida Federation of Alpha Chapters to promote community awareness and action through educational, economic, and cultural service activities.
- Five percent shall be distributed to the United Negro College Fund to be used for college scholarships for Florida residents attending Historically Black Colleges and Universities.

Alpha Phi Alpha Fraternity was founded on December 4, 1906 at Cornell University and was the first intercollegiate Greek-letter fraternity established for African-Americans.⁹ The mission for Alpha Phi Alpha Fraternity, Inc. is to develop leaders, promote brotherhood and academic excellence, while providing service and advocacy for communities.¹⁰

Omega Psi Phi Fraternity, Inc.

- Ten percent shall be distributed to the State of Florida Omega Friendship Foundation, Inc., solely for marketing of the plate.
- Eighty-five percent shall be distributed to the State of Florida Omega Friendship Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities.
- Five percent shall be distributed to the United Negro College Fund to be used for college scholarships for Florida residents attending Historically Black Colleges and Universities.

Omega Psi Phi Fraternity, Inc., founded in 1911, was the first international fraternal organization on the campus of Howard University with manhood, scholarship, perseverance and uplift adopted as the cardinal principles.¹¹

Kappa Alpha Psi Fraternity, Inc.

- Ten percent shall be distributed to Southern Province of Kappa Alpha Psi Foundation, Inc., solely for marketing of the plate.
- Eighty-five percent shall be distributed to the Southern Province of Kappa Alpha Psi Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities.
- Five percent shall be distributed to the United Negro College Fund to be used for college scholarships for Florida residents attending Historically Black Colleges and Universities.

⁹ Florida Federation of Alpha Chapters, *Brief History of Alpha Phi Alpha, Inc.*, <http://flfederation.org/about-us/history/> (last visited January 11, 2016)

¹⁰ Florida Federation of Alpha Chapters, *About Alpha Phi Alpha Fraternity, Inc.*, <http://flfederation.org/about-us/> (last visited January 11, 2016)

¹¹ Omega Psi Phi Fraternity, Inc., *About Omega*, http://www.opf.org/about_omega.asp (last visited January 11, 2016)

Kappa Alpha Psi Fraternity is a college Fraternity chartered and incorporated originally under the laws of the State of Indiana as Kappa Alpha Nu on May 15, 1911. Its name changed to Kappa Alpha Psi effective April 15, 1915.¹²

Phi Beta Sigma Fraternity, Inc.

- Ten percent shall be distributed to TMB Charitable Foundation, Inc., solely for marketing of the plate.
- Eighty-five percent shall be distributed to the TMB Charitable Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities.
- Five percent shall be distributed to the United Negro College Fund to be used for college scholarships for Florida residents attending Historically Black Colleges and Universities.

Phi Beta Sigma Fraternity was founded at Howard University January 9, 1914. Its mission statement provides that in order to accomplish the Fraternity's objectives, it is essential that systems are instituted that effectively embody "Culture For Service and Service For Humanity" and promote brotherhood, scholarship and service.¹³

Zeta Phi Beta Sorority, Inc.

- Ten percent shall be distributed to Florida Pearls, Inc., solely for marketing of the plate.
- Eighty-five percent shall be distributed to the Florida Pearls, Inc., to promote community awareness and action through educational, economic, and cultural service activities.
- Five percent shall be distributed to the United Negro College Fund to be used for college scholarships for Florida residents attending Historically Black Colleges and Universities.

Zeta Phi Beta Sorority was founded January 16, 1920, at Howard University. Zeta Phi Beta Sorority's national and local programs include the endowment of its National Educational Foundation community outreach services and support of multiple affiliate organizations. Zeta Phi Beta Sorority chapters and auxiliaries give hours of voluntary service to educate the public, assist youth, provide scholarships, support organized charities, and promote legislation for social and civic change.¹⁴

Delta Sigma Theta Sorority, Inc.

- Ten percent shall be distributed to the Delta Research and Educational Foundation, solely for marketing of the plate.
- Eighty-five percent shall be distributed to the Delta Research and Educational Foundation, to promote community awareness and action through educational, economic, and cultural service activities.
- Five percent shall be distributed to the United Negro College Fund to be used for college scholarships for Florida residents attending Historically Black Colleges and Universities.

Delta Sigma Theta Sorority was founded on January 13, 1913 by 22 collegiate women at Howard University.¹⁵ Its purpose is to provide assistance and support through established programs in local communities throughout the world.¹⁶

¹² Kappa Alpha Psi, *A Brief History*, <http://www.kappaalphapsi1911.com/?page=history> (last visited January 11, 2016)

¹³ Phi Beta Sigma Fraternity, Inc., *About Us*, <http://www.phibetasigma1914.org/our-history/> (last visited January 11, 2016)

¹⁴ Zeta Phi Beta Sorority, Inc., *About Zeta Phi Beta*, <http://www.zphib1920.org/our-history/> (last visited January 11, 2016)

¹⁵ Delta Sigma Theta Sorority, Inc., *Founders*, http://www.deltasigmatheta.org/about_founders.html (last visited January 11, 2016)

Alpha Kappa Alpha Sorority, Inc.

- Ten percent shall be distributed to Alpha Kappa Alpha Educational Advancement Foundation, Inc., solely for marketing of the plate.
- Eighty-five percent shall be distributed to the Alpha Kappa Alpha Educational Advancement Foundation, Inc., to promote community awareness and action through educational, economic, and cultural service activities.
- Five percent shall be distributed to the United Negro College Fund to be used for college scholarships for Florida residents attending Historically Black Colleges and Universities.

Alpha Kappa Alpha Sorority began as the vision of nine college students on the campus of Howard University in 1908.¹⁷ Alpha Kappa Alpha's mission is to cultivate and encourage high scholastic and ethical standards, to promote unity and friendship among college women, to study and help alleviate problems concerning girls and women in order to improve their social stature, to maintain a progressive interest in college life, and to be of "Service to All Mankind".¹⁸

Sigma Gamma Rho Sorority, Inc.

- Ten percent shall be distributed to the Sigma Gamma Rho Sorority National Education Fund, Inc., solely for marketing of the plate.
- Eighty-five percent shall be distributed to the Sigma Gamma Rho Sorority National Education Fund, Inc., to promote community awareness and action through educational, economic, and cultural service activities.
- Five percent shall be distributed to the United Negro College Fund to be used for college scholarships for Florida residents attending Historically Black Colleges and Universities.

Sigma Gamma Rho Sorority was established November 12, 1922, at Butler University in Indianapolis, Indiana. Its mission of is to enhance the quality of life for women and their families in the U.S. and globally through community service. Its goal is to achieve greater progress in the areas of education, healthcare, and leadership development.¹⁹

The new license plates will display the word "Florida" at the top of the plate and the name of the respective sorority or fraternity must appear at the bottom of the plate.

National Pan-Hellenic Council

The National Pan-Hellenic Council, Incorporated (NPHC) is currently composed of nine International Greek letter Sororities and Fraternities: Alpha Kappa Alpha Sorority, Inc. Alpha Phi Alpha Fraternity, Inc., Delta Sigma Theta Sorority, Inc., Zeta Phi Beta Sorority, Inc., Iota Phi Theta Fraternity, Inc., Kappa Alpha Psi Fraternity, Inc., Sigma Gamma Rho Sorority, Inc. Phi Beta Sigma Fraternity, Inc. and Omega Psi Phi Fraternity, Inc. NPHC promotes interaction through forums, meetings and other mediums for the exchange of information and engages in cooperative programming and initiatives through various activities and functions.²⁰

B. SECTION DIRECTORY:

Section 1 Amends s. 320.08056, F.S., establishing an annual use fee of \$25 for the Pan-Hellenic sorority or fraternity specialty license plates.

¹⁶ Delta Sigma Theta Sorority, Inc., *Statement of Purpose*, http://www.deltasigmatheta.org/about_mission.html (last visited January 11, 2016)

¹⁷ Alpha Kappa Alpha Sorority, Inc., *About*, <http://www.aka1908.com/about> (last visited January 11, 2016)

¹⁸ Alpha Kappa Alpha Sorority, Inc., *Mission*, <http://www.aka1908.com/about/mission> (last visited January 11, 2016)

¹⁹ Sigma Gamma Rho Sorority, Inc., *History*, <http://www.sgrho1922.org/about-sigma> (last visited January 11, 2016)

²⁰ National Pan-Hellenic Council, Incorporated, *Mission*, <http://www.nphcq.org/mission/> (last visited January 11, 2016)

Section 2 Amends s. 320.08058, F.S., directing the Department of Highway Safety and Motor Vehicles to create Pan-Hellenic sorority or fraternity 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 s. 320.08056, F.S.; establishing an annual use fee for
 4 National Pan-Hellenic Council Sorority or Fraternity
 5 license plates; amending s. 320.08058, F.S.; directing
 6 the Department of Highway Safety and Motor Vehicles to
 7 develop the license plates; providing for distribution
 8 and use of fees collected from the sale of the plates;
 9 providing an effective 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) National Pan-Hellenic Council Sorority or
 19 Fraternity license plate, \$25.

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

22 320.08058 Specialty license plates.—

23 (84) NATIONAL PAN-HELLENIC COUNCIL SORORITY OR FRATERNITY
 24 LICENSE PLATES.—The department shall develop a National Pan-
 25 Hellenic Council Sorority or Fraternity license plate as
 26 provided in this section and s. 320.08053 for each of the

27 sororities and fraternities specified in this subsection.
 28 National Pan-Hellenic Council Sorority or Fraternity license
 29 plates must bear the colors and design approved by the
 30 department. The word "Florida" must appear at the top of the
 31 plate, and the name of the respective sorority or fraternity
 32 must appear at the bottom of the plate.

33 (a) Alpha Phi Alpha Fraternity, Inc.—The department shall
 34 retain all annual use fees from the sale of such plates until
 35 all startup costs for developing and issuing the plates have
 36 been recovered. Thereafter, the annual use fees from the sale of
 37 the plate shall be distributed as follows:

38 1. Ten percent shall be distributed to the Florida
 39 Federation of Alpha Chapters, a charitable, not-for-profit
 40 organization under s. 501(c)(3) of the Internal Revenue Code,
 41 and used solely for marketing of the Alpha Phi Alpha Fraternity,
 42 Inc., license plate.

43 2. Eighty-five percent shall be distributed to the Florida
 44 Federation of Alpha Chapters and used to promote community
 45 awareness and action through educational, economic, and cultural
 46 service activities.

47 3. Five percent shall be distributed to the United Negro
 48 College Fund to be used for college scholarships for Florida
 49 residents attending historically black colleges and
 50 universities.

51 (b) Omega Psi Phi Fraternity, Inc.—The department shall
 52 retain all annual use fees from the sale of such plates until

53 all startup costs for developing and issuing the plates have
 54 been recovered. Thereafter, the annual use fees from the sale of
 55 the plate shall be distributed as follows:

56 1. Ten percent shall be distributed to the State of
 57 Florida Omega Friendship Foundation, Inc., a charitable, not-
 58 for-profit organization under s. 501(c)(3) of the Internal
 59 Revenue Code, and used solely for marketing of the Omega Psi Phi
 60 Fraternity, Inc., license plate.

61 2. Eighty-five percent shall be distributed to the State
 62 of Florida Omega Friendship Foundation, Inc., and used to
 63 promote community awareness and action through educational,
 64 economic, and cultural service activities.

65 3. Five percent shall be distributed to the United Negro
 66 College Fund to be used for college scholarships for Florida
 67 residents attending historically black colleges and
 68 universities.

69 (c) Kappa Alpha Psi Fraternity, Inc.—The department shall
 70 retain all annual use fees from the sale of such plates until
 71 all startup costs for developing and issuing the plates have
 72 been recovered. Thereafter, the annual use fees from the sale of
 73 the plate shall be distributed as follows:

74 1. Ten percent shall be distributed to the Southern
 75 Province of Kappa Alpha Psi Foundation, Inc., a charitable, not-
 76 for-profit organization under s. 501(c)(3) of the Internal
 77 Revenue Code, and used solely for marketing of the Kappa Alpha
 78 Psi Fraternity, Inc., license plate.

79 2. Eighty-five percent shall be distributed to the Southern
 80 Province of Kappa Alpha Psi Foundation, Inc., and used to
 81 promote community awareness and action through educational,
 82 economic, and cultural service activities.

83 3. Five percent shall be distributed to the United Negro
 84 College Fund to be used for college scholarships for Florida
 85 residents attending historically black colleges and
 86 universities.

87 (d) Phi Beta Sigma Fraternity, Inc.—The department shall
 88 retain all annual use fees from the sale of such plates until
 89 all startup costs for developing and issuing the plates have
 90 been recovered. Thereafter, the annual use fees from the sale of
 91 the plate shall be distributed as follows:

92 1. Ten percent shall be distributed to TMB Charitable
 93 Foundation, Inc., a charitable, not-for-profit organization
 94 under s. 501(c)(3) of the Internal Revenue Code, and used solely
 95 for marketing of the Phi Beta Sigma Fraternity, Inc., license
 96 plate.

97 2. Eighty-five percent shall be distributed to TMB
 98 Charitable Foundation, Inc., and used to promote community
 99 awareness and action through educational, economic, and cultural
 100 service activities.

101 3. Five percent shall be distributed to the United Negro
 102 College Fund to be used for college scholarships for Florida
 103 residents attending historically black colleges and
 104 universities.

105 (e) Zeta Phi Beta Sorority, Inc.—The department shall
 106 retain all annual use fees from the sale of such plates until
 107 all startup costs for developing and issuing the plates have
 108 been recovered. Thereafter, the annual use fees from the sale of
 109 the plate shall be distributed as follows:

110 1. Ten percent shall be distributed to Florida Pearls,
 111 Inc., a charitable, not-for-profit organization under s.
 112 501(c)(3) of the Internal Revenue Code, and used solely for
 113 marketing of the Zeta Phi Beta Sorority, Inc., license plate.

114 2. Eighty-five percent shall be distributed to Florida
 115 Pearls, Inc., and used to promote community awareness and action
 116 through educational, economic, and cultural service activities.

117 3. Five percent shall be distributed to the United Negro
 118 College Fund to be used for college scholarships for Florida
 119 residents attending historically black colleges and
 120 universities.

121 (f) Delta Sigma Theta Sorority, Inc.—The department shall
 122 retain all annual use fees from the sale of such plates until
 123 all startup costs for developing and issuing the plates have
 124 been recovered. Thereafter, the annual use fees from the sale of
 125 the plate shall be distributed as follows:

126 1. Ten percent shall be distributed to the Delta Research
 127 and Educational Foundation, a charitable, not-for-profit
 128 organization under s. 501(c)(3) of the Internal Revenue Code,
 129 and used solely for marketing of the Delta Sigma Theta Sorority,
 130 Inc., license plate.

131 2. Eighty-five percent shall be distributed to the Delta
 132 Research and Educational Foundation and used to promote
 133 community awareness and action through educational, economic,
 134 and cultural service activities.

135 3. Five percent shall be distributed to the United Negro
 136 College Fund to be used for college scholarships for Florida
 137 residents attending historically black colleges and
 138 universities.

139 (g) Alpha Kappa Alpha Sorority, Inc.--The department shall
 140 retain all annual use fees from the sale of such plates until
 141 all startup costs for developing and issuing the plates have
 142 been recovered. Thereafter, the annual use fees from the sale of
 143 the plate shall be distributed as follows:

144 1. Ten percent shall be distributed to the Alpha Kappa
 145 Alpha Educational Advancement Foundation, Inc., a charitable,
 146 not-for-profit organization under s. 501(c)(3) of the Internal
 147 Revenue Code, and used solely for marketing of the Alpha Kappa
 148 Alpha Sorority, Inc., license plate.

149 2. Eighty-five percent shall be distributed to the Alpha
 150 Kappa Alpha Educational Advancement Foundation, Inc., and used
 151 to promote community awareness and action through educational,
 152 economic, and cultural service activities.

153 3. Five percent shall be distributed to the United Negro
 154 College Fund to be used for college scholarships for Florida
 155 residents attending historically black colleges and
 156 universities.

157 (h) Sigma Gamma Rho Sorority, Inc.—The department shall
 158 retain all annual use fees from the sale of such plates until
 159 all startup costs for developing and issuing the plates have
 160 been recovered. Thereafter, the annual use fees from the sale of
 161 the plate shall be distributed as follows:

162 1. Ten percent shall be distributed to the Sigma Gamma Rho
 163 Sorority National Education Fund, Inc., a charitable, not-for-
 164 profit organization under s. 501(c)(3) of the Internal Revenue
 165 Code, and used solely for marketing of the Sigma Gamma Rho
 166 Sorority, Inc., license plate.

167 2. Eighty-five percent shall be distributed to the Sigma
 168 Gamma Rho Sorority National Education Fund, Inc., and used to
 169 promote community awareness and action through educational,
 170 economic, and cultural service activities.

171 3. Five percent shall be distributed to the United Negro
 172 College Fund to be used for college scholarships for Florida
 173 residents attending historically black colleges and
 174 universities.

175 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 Williams, A. offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and
 7 insert:

8 Section 1. Paragraphs (ffff) through (mmmm) are added to
 9 subsection (4) of section 320.08056, Florida Statutes, to read:

10 320.08056 Specialty license plates.-

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

13 (ffff) Alpha Phi Alpha Fraternity license plate, \$25.

14 (gggg) Omega Psi Phi Fraternity license plate, \$25.

15 (hhhh) Kappa Alpha Psi Fraternity license plate, \$25.

16 (iiii) Phi Beta Sigma Fraternity license plate, \$25.

17 (jjjj) Zeta Phi Beta Sorority license plate, \$25.



Amendment No. 1.

18 (kkkk) Delta Sigma Theta Sorority license plate, \$25.

19 (llll) Alpha Kappa Alpha Sorority license plate, \$25.

20 (mmmm) Sigma Gamma Rho Sorority license plate, \$25.

21 Section 2. Subsections (84) through (91) are added to
22 section 320.08058, Florida Statutes, to read:

23 320.08058 Specialty license plates.-

24 (84) ALPHA PHI ALPHA FRATERNITY LICENSE PLATES.-

25 (a) The department shall develop an Alpha Phi Alpha
26 Fraternity license plate as provided in this section and s.
27 320.08053. The plates must bear the colors and design approved
28 by the department. The word "Florida" must appear at the top of
29 the plate, and the name of the fraternity must appear at the
30 bottom of the plate.

31 (b) The annual use fees from the sale of the plate shall
32 be distributed as follows:

33 1. Ten percent shall be distributed to the Florida
34 Federation of Alpha Chapters and used solely for marketing of
35 the Alpha Phi Alpha Fraternity, Inc., license plate.

36 2. Eighty-five percent shall be distributed to the Florida
37 Federation of Alpha Chapters and used to promote community
38 awareness and action through educational, economic, and cultural
39 service activities.

40 3. Five percent shall be distributed to the United Negro
41 College Fund to be used for college scholarships for Florida
42 residents attending historically black colleges and
43 universities.



Amendment No. 1.

44 (85) OMEGA PSI PHI FRATERNITY LICENSE PLATES.—

45 (a) The department shall develop an Omega Psi Phi
46 Fraternity license plate as provided in this section and s.
47 320.08053. The plates must bear the colors and design approved
48 by the department. The word "Florida" must appear at the top of
49 the plate, and the name of the fraternity must appear at the
50 bottom of the plate.

51 (b) The annual use fees from the sale of the plate shall
52 be distributed as follows:

53 1. Ten percent shall be distributed to the State of
54 Florida Omega Friendship Foundation, Inc., and used solely for
55 marketing of the Omega Psi Phi Fraternity, Inc., license plate.

56 2. Eighty-five percent shall be distributed to the State
57 of Florida Omega Friendship Foundation, Inc., and used to
58 promote community awareness and action through educational,
59 economic, and cultural service activities.

60 3. Five percent shall be distributed to the United Negro
61 College Fund to be used for college scholarships for Florida
62 residents attending historically black colleges and
63 universities.

64 (86) KAPPA ALPHA PSI FRATERNITY LICENSE PLATES.—

65 (a) The department shall develop a Kappa Alpha Psi
66 Fraternity license plate as provided in this section and s.
67 320.08053. The plates must bear the colors and design approved
68 by the department. The word "Florida" must appear at the top of



Amendment No. 1.

69 the plate, and the name of the fraternity must appear at the
70 bottom of the plate.

71 (b) The annual use fees from the sale of the plate shall
72 be distributed as follows:

73 1. Ten percent shall be distributed to the Southern
74 Province of Kappa Alpha Psi Foundation, Inc., and used solely
75 for marketing of the Kappa Alpha Psi Fraternity, Inc., license
76 plate.

77 2. Eighty-five percent shall be distributed to the Southern
78 Province of Kappa Alpha Psi Foundation, Inc., and used to
79 promote community awareness and action through educational,
80 economic, and cultural service activities.

81 3. Five percent shall be distributed to the United Negro
82 College Fund to be used for college scholarships for Florida
83 residents attending historically black colleges and
84 universities.

85 (87) PHI BETA SIGMA FRATERNITY LICENSE PLATES.--

86 (a) The department shall develop a Phi Beta Sigma
87 Fraternity license plate as provided in this section and s.
88 320.08053. The plates must bear the colors and design approved
89 by the department. The word "Florida" must appear at the top of
90 the plate, and the name of the fraternity must appear at the
91 bottom of the plate.

92 (b) The annual use fees from the sale of the plate shall
93 be distributed as follows:



Amendment No. 1.

94 1. Ten percent shall be distributed to TMB Charitable
95 Foundation, Inc., and used solely for marketing of the Phi Beta
96 Sigma Fraternity, Inc., license plate.

97 2. Eighty-five percent shall be distributed to TMB
98 Charitable Foundation, Inc., and used to promote community
99 awareness and action through educational, economic, and cultural
100 service activities.

101 3. Five percent shall be distributed to the United Negro
102 College Fund to be used for college scholarships for Florida
103 residents attending historically black colleges and
104 universities.

105 (88) ZETA PHI BETA SORORITY LICENSE PLATES.-

106 (a) The department shall develop a Zeta Phi Beta Sorority
107 license plate as provided in this section and s. 320.08053. The
108 plates must bear the colors and design approved by the
109 department. The word "Florida" must appear at the top of the
110 plate, and the name of the sorority must appear at the bottom of
111 the plate.

112 (b) The annual use fees from the sale of the plate shall
113 be distributed as follows:

114 1. Ten percent shall be distributed to Florida Pearls,
115 Inc., and used solely for marketing of the Zeta Phi Beta
116 Sorority, Inc., license plate.

117 2. Eighty-five percent shall be distributed to Florida
118 Pearls, Inc., and used to promote community awareness and action
119 through educational, economic, and cultural service activities.



Amendment No. 1.

120 3. Five percent shall be distributed to the United Negro
121 College Fund to be used for college scholarships for Florida
122 residents attending historically black colleges and
123 universities.

124 (89) DELTA SIGMA THETA SORORITY LICENSE PLATES.--

125 (a) The department shall develop a Delta Sigma Theta
126 Sorority license plate as provided in this section and s.
127 320.08053. The plates must bear the colors and design approved
128 by the department. The word "Florida" must appear at the top of
129 the plate, and the name of the sorority must appear at the
130 bottom of the plate.

131 (b) The annual use fees from the sale of the plate shall
132 be distributed as follows:

133 1. Ten percent shall be distributed to the Delta Research
134 and Educational Foundation and used solely for marketing of the
135 Delta Sigma Theta Sorority, Inc., license plate.

136 2. Eighty-five percent shall be distributed to the Delta
137 Research and Educational Foundation and used to promote
138 community awareness and action through educational, economic,
139 and cultural service activities.

140 3. Five percent shall be distributed to the United Negro
141 College Fund to be used for college scholarships for Florida
142 residents attending historically black colleges and
143 universities.

144 (90) ALPHA KAPPA ALPHA SORORITY LICENSE PLATES.--



Amendment No. 1.

145 (a) The department shall develop an Alpha Kappa Alpha
146 Sorority license plate as provided in this section and s.
147 320.08053. The plates must bear the colors and design approved
148 by the department. The word "Florida" must appear at the top of
149 the plate, and the name of the sorority must appear at the
150 bottom of the plate.

151 (b) The annual use fees from the sale of the plate shall
152 be distributed as follows:

153 1. Ten percent shall be distributed to the Alpha Kappa
154 Alpha Educational Advancement Foundation, Inc., and used solely
155 for marketing of the Alpha Kappa Alpha Sorority, Inc., license
156 plate.

157 2. Eighty-five percent shall be distributed to the Alpha
158 Kappa Alpha Educational Advancement Foundation, Inc., and used
159 to promote community awareness and action through educational,
160 economic, and cultural service activities.

161 3. Five percent shall be distributed to the United Negro
162 College Fund to be used for college scholarships for Florida
163 residents attending historically black colleges and
164 universities.

165 (91) SIGMA GAMMA RHO SORORITY LICENSE PLATES.—

166 (a) The department shall develop an Sigma Gamma Rho
167 Sorority license plate as provided in this section and s.
168 320.08053. The plates must bear the colors and design approved
169 by the department. The word "Florida" must appear at the top of



Amendment No. 1.

170 the plate, and the name of the sorority must appear at the
171 bottom of the plate.

172 (b) The annual use fees from the sale of the plate shall
173 be distributed as follows:

174 1. Ten percent shall be distributed to the Sigma Gamma Rho
175 Sorority National Education Fund, Inc., and used solely for
176 marketing of the Sigma Gamma Rho Sorority, Inc., license plate.

177 2. Eighty-five percent shall be distributed to the Sigma
178 Gamma Rho Sorority National Education Fund, Inc., and used to
179 promote community awareness and action through educational,
180 economic, and cultural service activities.

181 3. Five percent shall be distributed to the United Negro
182 College Fund to be used for college scholarships for Florida
183 residents attending historically black colleges and
184 universities.

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

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

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Remove everything before the enacting clause and insert:
An act relating to specialty license plates; establishing annual
use fees for the amending ss. 320.08056 and 320.08058, F.S.;
directing the Department of Highway Safety and Motor Vehicles to
develop certain specialty license plates; establishing an annual
use fee for the plates; providing for distribution and use of



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1349 (2016)

Amendment No. 1.

195 fees collected from the sale of the plates; providing an
196 effective date.