



Highway & Waterway Safety Subcommittee

MEETING PACKET

**Tuesday, October 20, 2015
1:00 PM – 2:00 PM
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, October 20, 2015 01:00 pm

End Date and Time: Tuesday, October 20, 2015 02:00 pm

Location: 116 Knott Building

Duration: 1.00 hrs

Consideration of the following bill(s):

HB 83 Identification Cards and Driver Licenses by Santiago

HB 227 Specialty License Plates/Sun Sea Smiles by Rogers

HB 235 Parking for Disabled Veterans by Roberson, K.

NOTICE FINALIZED on 10/13/2015 4:04PM by Lawhon.Amanda

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 83 Identification Cards and Driver Licenses

SPONSOR(S): Santiago

TIED BILLS: IDEN./SIM. **BILLS:** SB 158

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		<i>W</i>	
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill requires the Department of Highway Safety and Motor Vehicles (DHSMV) to notate on the identification card or driver license the applicant's status as a lifetime freshwater fishing, saltwater fishing, hunting, or sportsman licensee, or lifetime boater safety identification card holder issued by the Florida Fish and Wildlife Conservation Commission (FWC).

Upon proof of an individual's status as a lifetime licensee or card holder the following words, or an abbreviation, will be added to the individual's identification card or driver license:

- "Lifetime Freshwater Fishing License" if the applicant holds a lifetime freshwater fishing license;
- "Lifetime Saltwater Fishing" if the applicant holds a lifetime saltwater fishing license;
- "Lifetime Hunting" if the applicant holds a lifetime hunting license;
- "Lifetime Sportsman" if the applicant holds a lifetime sportsman license; or
- "Lifetime Safe Boater" if the applicant holds a lifetime boater safety identification card.

The DHSMV is authorized to collect an additional \$1 fee to add the lifetime licensee or cardholder status when issuing an original identification card or driver license.

An individual who surrenders and replaces his or her identification card or driver license before its expiration date with the sole purpose to include the individual's status as a lifetime licensee or card holder is required to pay a \$2 fee for the card or license and the \$25 replacement fee will be waived.

According to DHSMV, the bill will have a significant negative fiscal impact to state funds. See fiscal comments.

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

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Driver License/Hunting and Fishing License Pilot Project¹

Beginning in 2014, the FWC began a pilot project which links a person's Florida driver license or identification card with the recreational hunting and fishing license database. FWC is actively using an in-house web based query function that allows staff to query the status of different permits and licenses issued by FWC by entering a driver license number or by swiping the license through a peripheral magnetic card reader. This function is available to all FWC employees using computers connected to the FWC Network and can also be used by Division of Law Enforcement officers in the field to determine all valid licenses held by an individual.

If an FWC officer does not have access to their mobile computer they can relay the driver license information to a dispatcher via radio to query the database and return confirmation of valid license status. FWC also accepts the presentation of a license "image" via a smart phone device as a valid alternative.

Recreational Lifetime Hunting and Fishing Licenses, Boater Safety Identification Cards

The Florida Fish and Wildlife Conservation Commission (FWC) issues lifetime licenses to Florida residents for freshwater fishing, saltwater fishing, and hunting, as well as boater safety identification cards.

Every person, unless exempt as provided in s. 379.353, F.S., taking game, fish, or fur-bearing animals within this state is required to have a hunting or fishing license, permit, or authorization number authorizing that activity.² The license, permit, or authorization number must in the personal possession of the person to whom it was issued while that person is taking, attempting to take, or possessing game, fish, or fur-bearing animals.³

Lifetime hunting and fishing licenses are only available to Florida residents, and are valid from the date they are issued until the death of the individual to whom the license is issued, even if the license holder moves out of the state, unless revoked.⁴ A recreational license may be suspended for a period ranging from 1-3 years if the license holder is convicted of certain Level Two or Level Three offenses as outlined in s.379.401, F.S..

As of August 2015, FWC had the following "active" lifetime licenses and cards on file:

Lifetime Freshwater Fishing Licenses	2,861
Lifetime Saltwater Fishing Licenses	18,314
Lifetime Hunting Licenses	1,578
Lifetime Sportsman Licenses	22,409
Lifetime Boater Safety Id Card	<u>441,000</u>
Total:	<u>486,162</u> ⁵

¹ Fish and Wildlife Conservation Commission, *Driver License/Hunting & Fishing License Pilot Project Update – 10/2015* (Oct. 5, 2015) (On file with the House Highway and Waterway Safety Subcommittee).

² s. 379.354(1), F.S.

³ s. 379.354(2), F.S.

⁴ ss. 379.401 or 379.404, F.S.

⁵ Department of Highway Safety and Motor Vehicles, *Agency Analysis of 2016 House Bill 83*, p.3 (Sept. 4, 2015) (on file with the House Highway and Waterway Safety Subcommittee).

Lifetime Freshwater or Saltwater Fishing License⁶

In addition to authorizing the take or attempted take or possession of freshwater fish, a lifetime freshwater fishing license authorizes all activities included with a wildlife management area permit, except hunting.

In addition to authorizing the take or attempted take or possession of saltwater fish, a lifetime saltwater fishing license authorizes all activities included with snook and spiny lobster permits.

Lifetime fishing licenses are available to Florida residents for a fee of:

- \$125 for persons age 4 or younger;
- \$225 for persons age 5 to 12; and
- \$300 for persons age 13 or older.

Lifetime Hunting License⁷

In addition to authorizing the take or attempted take or possession of game animals, a lifetime hunting license authorizes all activities included with Deer, Wildlife Management Area, Archery, Muzzleloading Gun, Crossbow, Turkey and Florida Waterfowl permits.

Lifetime hunting licenses are available to residents of Florida for a fee of:

- \$200 for persons age 4 or younger;
- \$350 for persons age 5 to 12; and
- \$500 for persons age 13 or older.

Lifetime Sportsman License⁸

In addition to authorizing the take or attempted take or possession of freshwater fish, saltwater fish, and game animals, a lifetime sportsman's license authorizes all activities included with Deer, Wildlife Management Area, Archery, Muzzleloading Gun, Crossbow, Turkey, Florida Waterfowl, Snook and Lobster permits.

Lifetime sportsman licenses are available to residents of Florida for a fee of:

- \$400 for persons age 4 or younger;
- \$700 for persons age 5 to 12; and
- \$1,000 for persons age 13 or older.

Boater Safety Identification Card⁹

Any person in Florida who was born on or after January 1, 1988, and who is operating a boat powered by a motor of more than 10 horsepower, must have in their possession a boater safety identification card, acquired from FWC for successfully completing approved boater safety education, as well as a valid for of photo identification. A person is exempt from this requirement if he or she:

- Is licensed by the U.S. Coast Guard as a master of a vessel.
- Is operating a vessel on a private lake or pond;
- Is accompanied on the vessel by a person who is least 18 years of age, who is exempt or who has complied with the requirement, provided that person is attendant to and responsible for the safe operation of the vessel and for any violation that occurs during the operation of the vessel;
- Is a nonresident who has in his or her possession proof that he or she has completed a boater education course or equivalency examination from another state which meets or exceeds Florida's requirements;

⁶ s. 379.354(10), F.S.

⁷ s. 379.354(11), F.S.

⁸ s. 379.354(12), F.S.

⁹ s. 327.395, F.S.

- Is operating a vessel within 90 days after the purchase of that vessel with a valid bill of sale; or
- Is operating a vessel within 90 days of completing an approved boating safety course and has valid photo identification and a boater education course completion certificate in his or her possession.

Any person, regardless of age, may complete the boater safety education course, and all who do so will be issued a boater safety identification card valid for life.

Effect of Proposed Changes

The bill amends ss. 322.14 and 322.051, F.S. requiring the Department of Highway Safety and Motor Vehicles (DHSMV) to notate on the identification card or driver license the applicant's status as a lifetime freshwater fishing, saltwater fishing, hunting, or sportsman licensee, or lifetime boater safety identification card holder issued by the Florida Fish and Wildlife Conservation Commission (FWC).

Upon proof of an individual's status as a lifetime licensee or card holder the following words, or an abbreviation, will be added to the individual's identification card or driver license:

- "Lifetime Freshwater Fishing License" if the applicant holds a lifetime freshwater fishing license;
- "Lifetime Saltwater Fishing" if the applicant holds a lifetime saltwater fishing license;
- "Lifetime Hunting" if the applicant holds a lifetime hunting license;
- "Lifetime Sportsman" if the applicant holds a lifetime sportsman license; or
- "Lifetime Safe Boater" if the applicant holds a lifetime boater safety identification card.

The DHSMV is authorized to collect an additional \$1 fee to add the lifetime licensee or cardholder status when issuing an original identification card or driver license.

An individual who surrenders and replaces his or her identification card or driver license before its expiration date with the sole purpose to include the individual's status as a lifetime licensee or card holder is required to pay a \$2 fee for the card or license and the \$25 replacement fee will be waived.

In addition, the bill makes a technical change to ss. 322.051 and 322.14, F.S. to ensure the issuance of a replacement identification card or driver license *shall*, rather than *may*, be issued with the word "Veteran" without paying the \$25 replacement fee. This aligns with the DHSMV's current practice.¹⁰

B. SECTION DIRECTORY:

Section 1 Amends s. 322.051, F.S., providing for a person's status as a lifetime freshwater fishing, saltwater fishing, hunting, or sportsman licensee, or boater safety identification cardholder, to be indicated on his or her identification card or driver license upon payment of an additional fee and presentation of the person's lifetime freshwater fishing, saltwater fishing, hunting, or sportsman's license or boater safety identification card; providing a waiver of the replacement fee in certain circumstances.

Section 2 Amends s. 322.14, F.S., providing for a person's status as a lifetime freshwater fishing, saltwater fishing, hunting, or sportsman licensee, or boater safety identification cardholder, to be indicated on his or her identification card or driver license upon payment of an additional fee and presentation of the person's lifetime freshwater fishing, saltwater fishing, hunting, or sportsman's license or boater safety identification card; providing a waiver of the replacement fee in certain circumstances.

¹⁰ DHSMV Agency Analysis, *supra* note 5.
 STORAGE NAME: h0083.HWSS.DOCX
 DATE: 10/13/2015

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

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill has an indeterminate fiscal impact to revenue.

The additional \$1 fee may have a positive fiscal impact to DHSMV, although it is unknown how many individuals may apply for the designation upon original issuance of an identification card or driver license.

There may be a negative but indeterminate fiscal impact to the General Revenue Fund and the Highway Safety Operating Trust Fund or tax collector due to an individual being able to replace his or her identification card or driver license without payment of the \$25 replacement fee, if the sole intention is to add the designation.

The Revenue Estimating Conference has not estimated the fiscal impact of the bill at this time.

2. Expenditures:

The bill has a significant negative fiscal impact to state funds.

DHSMV would be charged \$150,000 by the card stock vendor to update the Morpho Trust Application to facilitate the printing of the new designations on identification cards and driver licenses. This expense could be avoided if the effort were delayed until a new card vendor is selected, which is expected in December 2017.¹¹

Additionally, DHSMV estimates 826 programming hours would be required for implementation at an estimated cost of \$64,840 in FTE and contracted resources.¹²

The Revenue Estimating Conference has not estimated the fiscal impact of the bill at this time.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Individuals can have their status as a lifetime licensee or cardholder indicated on his or her identification card or driver license upon payment of an additional \$1 when being issued an original identification card or driver license.

An individual who surrenders and replaces his or her identification card or driver license before its expiration date with the sole purpose to include the individual's status as a lifetime licensee or card holder is required to pay a \$2 fee for the card or license instead of the \$25 replacement fee.

¹¹ DHSMV Agency Analysis, *supra* note 5, p. 5 and 7.

¹² DHSMV Agency Analysis, *supra* note 5, p. 5.

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:

It is unclear how a suspension or revocation of an individual's lifetime hunting or fishing license would be accommodated if reflected on his or her identification card or driver license.

Due to the limited space of the current card design, DHSMV has indicated the use of symbols to denote the lifetime classifications may be more accommodating.¹³

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

¹³ DHSMV Agency Analysis, *supra* note 5, p. 7.
STORAGE NAME: h0083.HWSS.DOCX
DATE: 10/13/2015

1 A bill to be entitled
 2 An act relating to identification cards and driver
 3 licenses; amending ss. 322.051 and 322.14, F.S.;
 4 providing for a person's status as a lifetime
 5 freshwater fishing, saltwater fishing, hunting, or
 6 sportsman licensee, or boater safety identification
 7 cardholder, to be indicated on his or her
 8 identification card or driver license upon payment of
 9 an additional fee and presentation of the person's
 10 lifetime freshwater fishing, saltwater fishing,
 11 hunting, or sportsman's license or boater safety
 12 identification card; providing a waiver of the
 13 replacement fee in certain circumstances; providing an
 14 effective date.

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

17
 18 Section 1. Paragraph (b) of subsection (8) of section
 19 322.051, Florida Statutes, is amended, and paragraph (c) is
 20 added to that subsection, to read:

21 322.051 Identification cards.—
 22 (8)

23 (b) The word "Veteran" shall be exhibited on the
 24 identification card of a veteran upon the payment of an
 25 additional \$1 fee for the identification card and the
 26 presentation of a copy of the person's DD Form 214, issued by

27 | the United States Department of Defense, or another acceptable
 28 | form specified by the Department of Veterans' Affairs. Until a
 29 | veteran's identification card is next renewed, the veteran may
 30 | have the word "Veteran" added to his or her identification card
 31 | upon surrender of his or her current identification card,
 32 | payment of a \$2 fee to be deposited into the Highway Safety
 33 | Operating Trust Fund, and presentation of a copy of his or her
 34 | DD Form 214 or another acceptable form specified by the
 35 | Department of Veterans' Affairs. If the applicant is not
 36 | conducting any other transaction affecting the identification
 37 | card, a replacement identification card shall ~~may~~ be issued with
 38 | the word "Veteran" without payment of the fee required in s.
 39 | 322.21(1)(f)3.

40 | (c) The department shall include the following words, or
 41 | standard abbreviations for those words, on an identification
 42 | card upon the payment of an additional \$1 fee by an applicant
 43 | who meets the requirements of subsection (1) and presents a
 44 | lifetime license or card:

45 | 1. If the applicant holds a lifetime freshwater fishing
 46 | license, the words "Lifetime Freshwater Fishing."

47 | 2. If the applicant holds a lifetime saltwater fishing
 48 | license, the words "Lifetime Saltwater Fishing."

49 | 3. If the applicant holds a lifetime hunting license, the
 50 | words "Lifetime Hunting."

51 | 4. If the applicant holds a lifetime sportsman's license,
 52 | the words "Lifetime Sportsman."

53 5. If the applicant holds a lifetime boater safety
 54 identification card, the words "Lifetime Safe Boater."

55
 56 A person may replace his or her identification card before its
 57 expiration date with a card that includes his or her status as a
 58 lifetime licensee or boater safety cardholder upon surrender of
 59 his or her current identification card, payment of a \$2 fee to
 60 be deposited into the Highway Safety Operating Trust Fund, and
 61 presentation of the person's lifetime license or card. If the
 62 sole purpose of the replacement identification card is the
 63 inclusion of the applicant's status as a lifetime licensee or
 64 cardholder, the replacement identification card shall be issued
 65 without payment of the fee required in s. 322.21(1)(f)3.

66 Section 2. Paragraph (c) of subsection (1) of section
 67 322.14, Florida Statutes, is amended, and paragraph (d) is added
 68 to that subsection, to read:

69 322.14 Licenses issued to drivers.—

70 (1)

71 (c) The word "Veteran" shall be exhibited on the driver
 72 license of a veteran upon the payment of an additional \$1 fee
 73 for the license and the presentation of a copy of the person's
 74 DD Form 214, issued by the United States Department of Defense,
 75 or another acceptable form specified by the Department of
 76 Veterans' Affairs. Until a veteran's license is next renewed,
 77 the veteran may have the word "Veteran" added to his or her
 78 license upon surrender of his or her current license, payment of

79 a \$2 fee to be deposited into the Highway Safety Operating Trust
 80 Fund, and presentation of a copy of his or her DD Form 214 or
 81 another acceptable form specified by the Department of Veterans'
 82 Affairs. If the applicant is not conducting any other
 83 transaction affecting the driver license, a replacement license
 84 shall ~~may~~ be issued with the word "Veteran" without payment of
 85 the fee required in s. 322.21(1)(e).

86 (d) The department shall include the following words, or
 87 standard abbreviations for those words, on a driver license upon
 88 the payment of an additional \$1 fee by an applicant who meets
 89 the requirements of s. 322.08 and presents a lifetime license or
 90 identification card:

91 1. If the applicant holds a lifetime freshwater fishing
 92 license, the words "Lifetime Freshwater Fishing."

93 2. If the applicant holds a lifetime saltwater fishing
 94 license, the words "Lifetime Saltwater Fishing."

95 3. If the applicant holds a lifetime hunting license, the
 96 words "Lifetime Hunting."

97 4. If the applicant holds a lifetime sportsman's license,
 98 the words "Lifetime Sportsman."

99 5. If the applicant holds a lifetime boater safety
 100 identification card, the words "Lifetime Safe Boater."

101

102 A person may replace his or her driver license before its
 103 expiration date with a license that includes his or her status
 104 as a lifetime licensee or boater safety cardholder upon

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105 surrender of his or her current driver license, payment of a \$2
106 fee to be deposited into the Highway Safety Operating Trust
107 Fund, and presentation of the person's lifetime license or
108 identification card. If the sole purpose of the replacement
109 driver license is the inclusion of the applicant's status as a
110 lifetime licensee or cardholder, the replacement driver license
111 shall be issued without payment of the fee required in s.
112 322.21(1)(e).

113 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 Santiago offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Paragraph (b) of subsection (8) of section 322.051, Florida Statutes, is amended, and paragraph (c) is added to that subsection, to read:

322.051 Identification cards.—

(8)

(b) The word "Veteran" shall be exhibited on the identification card of a veteran upon the payment of an additional \$1 fee for the identification card and the presentation of a copy of the person's DD Form 214, issued by the United States Department of Defense, or another acceptable form specified by the Department of Veterans' Affairs. Until a



Amendment No.1

18 veteran's identification card is next renewed, the veteran may
19 have the word "Veteran" added to his or her identification card
20 upon surrender of his or her current identification card,
21 payment of a \$2 fee to be deposited into the Highway Safety
22 Operating Trust Fund, and presentation of a copy of his or her
23 DD Form 214 or another acceptable form specified by the
24 Department of Veterans' Affairs. If the applicant is not
25 conducting any other transaction affecting the identification
26 card, a replacement identification card shall ~~may~~ be issued with
27 the word "Veteran" without payment of the fee required in s.
28 322.21(1)(f)3.

29 (c) The department shall include symbols representing the
30 following on an identification card upon the payment of an
31 additional \$1 fee by an applicant who meets the requirements of
32 subsection (1) and presents his or her:

- 33 1. Lifetime freshwater fishing license;
- 34 2. Lifetime saltwater fishing license;
- 35 3. Lifetime hunting license;
- 36 4. Lifetime sportsman's license; or
- 37 5. Lifetime boater safety identification card.

38
39 A person may replace his or her identification card before its
40 expiration date with a card that includes his or her status as a
41 lifetime licensee or boater safety cardholder upon surrender of
42 his or her current identification card, payment of a \$2 fee to
43 be deposited into the Highway Safety Operating Trust Fund, and



Amendment No.1

44 presentation of the person's lifetime license or card. If the
45 sole purpose of the replacement identification card is the
46 inclusion of the applicant's status as a lifetime licensee or
47 cardholder, the replacement identification card must be issued
48 without payment of the fee required in s. 322.21(1)(f)3.

49 Section 2. Paragraph (c) of subsection (1) of section
50 322.14, Florida Statutes, is amended, and paragraph (d) is added
51 to that subsection, to read:

52 322.14 Licenses issued to drivers.-

53 (1)

54 (c) The word "Veteran" shall be exhibited on the driver
55 license of a veteran upon the payment of an additional \$1 fee
56 for the license and the presentation of a copy of the person's
57 DD Form 214, issued by the United States Department of Defense,
58 or another acceptable form specified by the Department of
59 Veterans' Affairs. Until a veteran's license is next renewed,
60 the veteran may have the word "Veteran" added to his or her
61 license upon surrender of his or her current license, payment of
62 a \$2 fee to be deposited into the Highway Safety Operating Trust
63 Fund, and presentation of a copy of his or her DD Form 214 or
64 another acceptable form specified by the Department of Veterans'
65 Affairs. If the applicant is not conducting any other
66 transaction affecting the driver license, a replacement license
67 shall ~~may~~ be issued with the word "Veteran" without payment of
68 the fee required in s. 322.21(1)(e).

69 (d) The department shall include symbols representing the



Amendment No.1

70 following on a driver license upon the payment of an additional
71 \$1 fee by an applicant who meets the requirements of s. 322.08
72 and presents his or her:

- 73 1. Lifetime freshwater fishing license;
- 74 2. Lifetime saltwater fishing license;
- 75 3. Lifetime hunting license;
- 76 4. Lifetime sportsman's license; or
- 77 5. Lifetime boater safety identification card.

78
79 A person may replace his or her driver license before its
80 expiration date with a license that includes his or her status
81 as a lifetime licensee or boater safety cardholder upon
82 surrender of his or her current driver license, payment of a \$2
83 fee to be deposited into the Highway Safety Operating Trust
84 Fund, and presentation of the person's lifetime license or
85 identification card. If the sole purpose of the replacement
86 driver license is the inclusion of the applicant's status as a
87 lifetime licensee or cardholder, the replacement driver license
88 must be issued without payment of the fee required in s.
89 322.21(1)(e).

90 Section 3. Subsection (1) of section 327.395, Florida
91 Statutes, is amended to read:

92 327.395 Boating safety identification cards.—

93 (1) A person born on or after January 1, 1988, may not
94 operate a vessel powered by a motor of 10 horsepower or greater
95 unless such person has in his or her possession aboard the



Amendment No.1

96 vessel photographic identification and a boater safety
97 identification card issued by the commission, or a state-issued
98 identification card or driver license indicating possession of
99 the boater safety identification card, which shows that he or
100 she has:

101 (a) Completed a commission-approved boater education
102 course that meets the minimum 8-hour instruction requirement
103 established by the National Association of State Boating Law
104 Administrators;

105 (b) Passed a course equivalency examination approved by
106 the commission; or

107 (c) Passed a temporary certificate examination developed
108 or approved by the commission.

109 Section 4. Subsection (3) of section 379.354, Florida
110 Statutes, is amended to read:

111 379.354 Recreational licenses, permits, and authorization
112 numbers; fees established.-

113 (3) PERSONAL POSSESSION REQUIRED.-Each recreational
114 license, state-issued identification card or driver license
115 indicating possession of a recreational license, permit, or
116 authorization number must be in the personal possession of the
117 person to whom it is issued while ~~the~~ such person is taking,
118 attempting to take, or possessing game, freshwater or saltwater
119 fish, or fur-bearing animals. Any person taking, attempting to
120 take, or possessing game, freshwater or saltwater fish, or fur-
121 bearing animals who fails to produce a recreational license,



Amendment No.1

122 state-issued identification card or driver license indicating
123 possession of a recreational license, permit, or authorization
124 number at the request of a commission law enforcement officer
125 commits a violation of the law.

126 Section 5. The amendments made by this act to ss. 322.051
127 and 322.14, Florida Statutes, shall apply upon implementation of
128 new designs for the driver license and identification card by
129 the Department of Highway Safety and Motor Vehicles.

130 Section 6. This act shall take effect July 1, 2016.

131

132

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

133

134 Remove everything before the enacting clause and insert:

135

A bill to be entitled

136

An act relating to identification cards and driver

137

licenses; amending ss. 322.051 and 322.14, F.S.;

138

providing for a person's status as a lifetime

139

freshwater fishing, saltwater fishing, hunting, or

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sportsman licensee, or boater safety identification

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cardholder, to be indicated on his or her

142

identification card or driver license upon payment of

143

an additional fee and presentation of the person's

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lifetime freshwater fishing, saltwater fishing,

145

hunting, or sportsman's license, or boater safety

146

identification card; providing a waiver of the

147

replacement fee in certain circumstances; amending s.



Amendment No.1

148 327.395, F.S.; prohibiting a person born on or after a
149 specified date from operating a certain vessel unless
150 such person has in his or her possession aboard the
151 vessel photographic identification and a boater safety
152 identification card or a state-issued identification
153 card or driver license which meets certain
154 requirements; amending s. 379.354, F.S.; requiring
155 each state-issued identification card or driver
156 license indicating possession of certain recreational
157 licenses to be in the personal possession of the
158 person to whom such license is issued while the person
159 is taking, attempting to take, or possessing game,
160 freshwater or saltwater fish, or fur-bearing animals;
161 providing applicability; providing an effective date.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 227 Specialty License Plates/Sun Sea Smiles
SPONSOR(S): Rogers
TIED BILLS: IDEN./SIM. **BILLS:** SB 278

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		<i>WJ</i>	
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 Sun Sea Smiles license plate, with an annual use fee of \$25 to be distributed as follows:

- Five percent shall be distributed to the Florida Caribbean Charitable Foundation, Inc., strictly for marketing of the Sun Sea Smiles license plate.
- Thirty percent shall be distributed to the Florida Caribbean Charitable Foundation, Inc. and of this amount, up to five percent may be used for administrative expenses, and the remainder shall be used as follows:
 - Sixty percent shall be used for a college scholarship program.
 - Fifteen percent shall be used to promote health and wellness among Florida residents of Caribbean descent.
 - Twenty-five percent shall be used to promote awareness of Caribbean culture within the state.
- Twenty percent shall be distributed to the American Friends of Jamaica, Inc., a charitable, not for profit organization under s. 501 (c)(3) of the Internal Revenue Code registered with the Department of Agriculture and Consumer Services and incorporated in New York, for use as grants to promote social and community development among Florida residents. Of this amount, up to five percent may be used for administrative and marketing expenses.
- Ten percent shall be distributed to Haitian Neighborhood Center Sant La, Inc. to promote social and community development. Of this amount, up to five percent may be used for administrative expenses.
- Ten percent shall be distributed to Fanm Ayisyen Nan Miyami, Inc., to promote social and community development. Of this amount, up to 10 percent may be used for administrative expenses.
- Twenty percent shall be distributed to Greater Caribbean American Cultural Coalition, Inc., to promote awareness of Caribbean culture within the state. Of this amount, up to five percent may be used for administrative expenses.
- Five percent shall be distributed to Little Haiti Optimist Foundation, Inc., to promote awareness of Caribbean culture and youth development within the state. Of this amount, up to five percent may be used for administrative expenses.

The new plate will display the word "Florida" at the top of the plate and the words "Sun Sea Smiles" at the bottom of the plate.

The bill authorizes the DHSMV to retain all annual use fees from the sale of Sun Sea Smiles 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 funds. See fiscal comments.

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

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

STORAGE NAME: h0227.HWSS.DOCX

DATE: 10/13/2015

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 plates².

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).³

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.⁴

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, 2016.⁵

Effect of Proposed Changes

Sun Sea Smiles Specialty License Plate

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited Sept. 15, 2015).

² s. 320.08056(2), F.S.

³ s. 320.08056 (8)(a), F.S.

⁴ s. 320.08062, F. S.

⁵ Ch. 2008-176, Laws of Fla., as amended by Ch. 2010-223, Laws of Fla.

The bill directs the DHSMV to create a new specialty license plate designated as the Sun Sea Smiles license plate, with an annual use fee of \$25 to be distributed as follows:

- Five percent shall be distributed to the Florida Caribbean Charitable Foundation, Inc., strictly for marketing of the Sun Sea Smiles license plate.
- Thirty percent shall be distributed to the Florida Caribbean Charitable Foundation, Inc. and of this amount, up to five percent may be used for administrative expenses, and the remainder shall be used as follows:
 - Sixty percent shall be used for a college scholarship program;
 - Fifteen percent shall be used to promote health and wellness among Florida residents of Caribbean descent; and
 - Twenty-five percent shall be used to promote awareness of Caribbean culture within the state.
- Twenty percent shall be distributed to the American Friends of Jamaica, Inc., a charitable, not for profit organization under s. 501 (c)(3) of the Internal Revenue Code registered with the Department of Agriculture and Consumer Services and incorporated in New York, for use as grants to promote social and community development among Florida residents. Of this amount, up to five percent may be used for administrative and marketing expenses.
- Ten percent shall be distributed to Haitian Neighborhood Center Sant La, Inc. to promote social and community development. Of this amount, up to five percent may be used for administrative expenses.
- Ten percent shall be distributed to Fanm Ayisyen Nan Miyami, Inc., to promote social and community development. Of this amount, up to 10 percent may be used for administrative expenses.
- Twenty percent shall be distributed to Greater Caribbean American Cultural Coalition, Inc., to promote awareness of Caribbean culture within the state. Of this amount, up to five percent may be used for administrative expenses.
- Five percent shall be distributed to Little Haiti Optimist Foundation, Inc., to promote awareness of Caribbean culture and youth development within the state. Of this amount, up to five percent may be used for administrative expenses.

The new plate will display the word "Florida" at the top of the plate, and the words "Sun Sea Smiles" at the bottom of the plate.

The bill authorizes the DHSMV to retain all annual use fees from the sale of Sun Sea Smiles specialty license plate until all startup costs for developing and issuing the plate have been recovered.

Receiving Organizations: Florida Caribbean, Haitian, and Jamaican Organizations

The Florida Caribbean Charitable Foundation, Inc., is a civic and social organization, located in North Miami Beach and established in 2007.

American Friends of Jamaica, Inc., founded in 1982, is a non-profit organization dedicated to supporting Jamaican charitable organizations and social initiatives targeted at improving the lives of Jamaicans through systematic development in the areas of education, healthcare, and economic development.⁶

The mission of Haitian Neighborhood Center Sant La, Inc., is to empower, strengthen, and stabilize South Florida's Haitian community, through access for free services and resources, to ensure its successful integration.⁷

⁶ The American Friends of Jamaica, *Our Mission & Vision*, <http://www.theamericanfriendsofjamaica.org/about/mission.html> (last visited Oct. 8, 2015).

⁷ Haitian Neighborhood Center Sant La, *Mission and Vision*, http://santla.org/index.php?option=com_content&view=article&id=32:about-us&catid=16:sant-la-articles&Itemid=165 (last visited Oct. 8, 2015).

Fanm Ayisyen Nan Miyami, Inc., has a mission to empower Haitian women and their families socially, politically, and facilitate their adjustments to South Florida. The organization has provided counseling, outreach, education, and access to care and advocacy service to low and moderate-income families and children for the last 16 years.⁸

The Greater Caribbean American Cultural Coalition, Inc., is an umbrella organization serving the Caribbean people and other members of the community, by bringing together the various Caribbean countries and islands, and their rich cultural heritage. The coalition's mission is to enrich the cultural environment of the Caribbean people and other members of the community by fostering multicultural understanding through an appreciation of Caribbean cultures.⁹

Little Haiti Optimist Foundation, Inc., is a non-profit organization established in 2010 by a group of business, community and civic leaders to provide programs to the youth of Little Haiti. The mission is to make a difference in the lives of youth by providing education, mentorship, athletics, arts and cultural programming.¹⁰

B. SECTION DIRECTORY:

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

Section 2 Amends s. 320.08058, F.S., directing the Department of Highway Safety and Motor Vehicles to create a Sun Sea Smiles 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:

DHSMV estimates 244 programming hours would be required for implementation of a new specialty license plate, exclusive of planning and testing time. The 244 programming hours is estimated to have a fiscal impact of \$12,760 in FTE and contracted resources. (194 hours @ \$40/hour plus 50 hours @ \$100/hour).¹¹

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

⁸ Fanm Ayisyen nan Miyami, *About*, <http://www.fanm.org/index.php?page=About> (last visited Oct. 8, 2015).

⁹ Unifest, *About GCACC*, <http://unifestlive.com/about-gcacc/> (last visited Oct. 8, 2015).

¹⁰ Little Haiti Optimist Club, *Welcome*, <http://www.littlehaitioptimist.org/> (last visited Oct. 8, 2015).

¹¹ Department of Highway Safety and Motor Vehicles, Agency Analysis of 2016 House Bill 227, p.5 (Sept. 15, 2015) (On file with the House Highway and Waterway Safety Subcommittee).

None

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Revenue generated from the sale of the Sun Sea Smiles specialty license plate would be distributed to the various organizations designated 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 Sun Sea Smiles license plate; establishing
 6 an 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) Sun Sea Smiles 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) SUN SEA SMILES LICENSE PLATES.—

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

27 of the 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 as follows:

33 1. Five percent shall be distributed to the Florida
 34 Caribbean Charitable Foundation, Inc., strictly for marketing of
 35 the Sun Sea Smiles license plate.

36 2. Thirty percent shall be distributed to the Florida
 37 Caribbean Charitable Foundation, Inc. Of this amount, up to 5
 38 percent may be used for administrative expenses, and the
 39 remainder shall be used as follows:

40 a. Sixty percent shall be used for a college scholarship
 41 program.

42 b. Fifteen percent shall be used to promote health and
 43 wellness among Florida residents of Caribbean descent.

44 c. Twenty-five percent shall be used to promote awareness
 45 of Caribbean culture within the state.

46 3. Twenty percent shall be distributed to the American
 47 Friends of Jamaica, Inc., a charitable, not-for-profit
 48 organization under s. 501(c)(3) of the Internal Revenue Code
 49 registered with the Department of Agriculture and Consumer
 50 Services and incorporated in New York, for use as grants to
 51 promote social and community development among Florida

52 residents. Of this amount, up to 5 percent may be used for
 53 administrative and marketing expenses.

54 4. Ten percent shall be distributed to Haitian
 55 Neighborhood Center Sant La, Inc., to promote social and
 56 community development. Of this amount, up to 5 percent may be
 57 used for administrative expenses.

58 5. Ten percent shall be distributed to Fanm Ayisyen Nan
 59 Miyami, Inc., to promote social and community development. Of
 60 this amount, up to 10 percent may be used for administrative
 61 expenses.

62 6. Twenty percent shall be distributed to Greater
 63 Caribbean American Cultural Coalition, Inc., to promote
 64 awareness of Caribbean culture within the state. Of this amount,
 65 up to 5 percent may be used for administrative expenses.

66 7. Five percent shall be distributed to Little Haiti
 67 Optimist Foundation, Inc., to promote awareness of Caribbean
 68 culture and youth development within the state. Of this amount,
 69 up to 5 percent may be used for administrative expenses.

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

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 235 Parking for Disabled Veterans
SPONSOR(S): Roberson
TIED BILLS: IDEN./SIM. BILLS: SB 222

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		<i>MS</i>	
3) Economic Affairs Committee			

SUMMARY ANALYSIS

The bill clarifies that the exemption for a state, county, municipality, or any agency thereof to not charge a parking fee, only applies when the vehicle is transporting the person who has a disability and to whom the disabled parking permit or disabled license plate was issued.

A provision is removed by the bill allowing an airport that owns, operates, or leases parking facilities, or any other parking facility, used for the purpose of air travel, to charge for parking a vehicle displaying a:

- Disabled Veteran license plate;
- Disabled Veteran license plate stamped with the international wheelchair symbol; or
- Paralyzed Veterans of America license plate.

The bill provides that the governing body of each publicly owned or publicly operated airport must grant free parking to a vehicle displaying a:

- Disabled Veterans license plate;
- Disabled Veteran license plate stamped with the international wheelchair symbol; or
- Paralyzed Veterans of America license plate.

The bill also adds vehicles displaying the Disabled Veteran license plate stamped with the international wheelchair symbol or the Paralyzed Veterans of America license plate to the list of vehicles that *may not* be charged for parking by a county, municipality, or any agency thereof, in a facility or lot that provides timed parking spaces outside of certain conditions.

The bill has no fiscal impact on state funds.

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

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Parking Fee Exemptions for the Disabled

A state agency, county, municipality, or any agency thereof, may not charge a fee for parking on the public streets or highways or in any metered parking spaces if the vehicle displays any of the following disabled parking permits or disabled license plates:

- out of state or out of country disabled license plate or disabled parking permit as recognized under s. 316.1958, F.S.;
- disabled parking permit issued under s. 320.0848, F.S.;
- Disabled Veteran license plate issued under s. 320.084, F.S.;
- Disabled Veteran license plate stamped with the international wheelchair symbol issued under s. 320.0842, F.S.;
- license plate stamped with the international wheelchair user symbol issued under s. 320.0843, F.S.; or
- Paralyzed Veterans of America license plate issued under s. 320.0845, F.S.

This only applies when the vehicle is transporting the person who has the disability and to whom the disabled parking permit or license plate was issued.¹

When an on-street parking meter restricts the duration of time that a vehicle may be parked, a vehicle properly displaying a disabled parking permit is allowed a maximum of four hours at no charge. However, local governments may extend such time by local ordinance.²

The driver of a vehicle, as provided above, that is parked on the public streets or highways or in any metered parking space may not be penalized except in clearly defined:

- bus loading zones;
- fire zones;
- access aisles adjacent to the parking spaces for persons who have disabilities;
- areas posted as "No Parking" zones or as emergency vehicle zones; or
- for parking in excess of the posted time limit.³

A parking facility that restricts the number of consecutive days that a vehicle may be parked can impose the same restriction on a vehicle that displays a disabled parking permit.⁴

Exceptions to Parking Fee Exemptions

Several exceptions are provided in current law for when a parking fee may be charged to a vehicle displaying a disabled parking permit or a disabled license plate.

A parking fee may be charged when a state, county, or municipal parking facility or lot is being used for an event at a convention center, cruise-port terminal, sports stadium, sports arena, coliseum, or auditorium.⁵

A parking fee may be charged in a parking facility that leases a parking space for more than one week.⁶

¹ s. 316.1964(1), F.S.

² s. 316.1964(5), F.S.

³ s. 316.1964(2), F.S.

⁴ s. 316.1964(4), F.S.

⁵ s. 316.1964(3), F.S.

⁶ s. 316.1964(6), F.S.

A parking fee may be charged by an airport that owns, operates, or leases parking facilities, or any other parking facilities that are used for air travel to vehicles displaying:

- a disabled parking permit;
- an out of state or out of country disabled license plate or disabled parking permit;
- a Disabled Veteran license plate;
- a Disabled Veteran license plate stamped with the international wheelchair symbol;
- a license plate stamped with the international wheelchair symbol; or
- a Paralyzed Veterans of America license plate.

However, the governing body of each publicly owned or publicly operated airport must grant free parking for a vehicle with specialized equipment, such as a ramp, lift, or foot or hand controls for utilization by a person who has a disability or whose vehicle displays the Florida Toll Exemption permit.⁷

A parking fee may be charged by a county, municipality, or any agency thereof, to any vehicle that displays a disabled parking permit for parking in a facility, or lot that provides timed parking spaces. However, any vehicle with specialized equipment, such as ramps, lifts, or foot or hand controls, for use by a person who has a disability, vehicles displaying the Disabled Veteran "DV" license plate issued under s. 320.084, F.S., or a Florida Toll Exemption permit are exempt from any parking fees.⁸

Disabled Veterans License Plate

To become eligible for one free Disabled Veterans license plate displaying a "DV" designation, a veteran must have been a Florida resident for the preceding five years or has established a domicile in the state, and have been honorably discharged from the U.S. Armed Forces upon application, accompanied by proof that:

- a vehicle was initially acquired through financial assistance by the U.S. Department of Veterans Affairs or its predecessor specifically for the purchase of an automobile;
- the applicant has been determined by the U.S. Department of Veterans Affairs or the predecessor to have a service-connected 100% disability rating for compensation; or
- the applicant has been determined to have a service-connected disability rating of 100% and is in receipt of disability retirement pay from any branch of the U.S. Armed Forces.⁹

Currently, there are 41,435 active Disabled Veteran license plates in Florida.¹⁰

Disabled Veterans License Plate with the International Wheelchair Symbol

If a disabled veteran is eligible for the Disabled Veteran license plate and offers proof that, due to the service-connected disability, he or she permanently uses a wheelchair then that veteran is eligible for a free license plate that displays the international symbol of accessibility. This plate is similar in all respects to the Disabled Veteran license plate except the "DV" designation is replaced by the international symbol of accessibility.¹¹

Currently, there are 11,509 active Disabled Veteran Wheelchair license plates in Florida.¹²

Paralyzed Veterans of America License plate

Anyone who owns or leases a vehicle that resides in Florida and is a member of the Paralyzed Veterans of America can apply for a Paralyzed Veterans of America license plate, by paying the appropriate fees along with proof of membership.¹³

⁷ s. 316.1964(7), F.S.

⁸ s. 316.1964(8), F.S.

⁹ s. 320.084(1), F.S.

¹⁰ Email from the Department of Highway Safety and Motor Vehicles on file with the House Highway and Water Safety Subcommittee (Oct. 9, 2015).

¹¹ s. 320.0842, F.S.

¹² DHSMV Email, *supra* note 10.

To become a member of the Paralyzed Veterans of America, an individual must:

- be a citizen of the United States;
- a veteran of the U.S. Armed Forces whose discharge was other than dishonorable; and
- have suffered a spinal cord injury as a result of trauma or disease, which results in paralysis of more than one limb (the injury or disease onset could have occurred after discharge/retirement from military service).¹⁴

Currently, there are 59 active Paralyzed Veterans of America license plates in Florida.¹⁵

Effect of Proposed Changes

The bill clarifies that the exemption for a state, county, municipality, or any agency thereof to not charge a parking fee, only applies when the vehicle is transporting the person who has a disability and to whom the disabled parking permit or disabled license plate was issued.

The bill removes a provision that allows an airport that owns, operates, or leases parking facilities, or any other parking facility, used for the purpose of air travel, to charge for parking a vehicle displaying a:

- Disabled Veteran license plate;
- Disabled Veteran license plate stamped with the international wheelchair symbol; or
- Paralyzed Veterans of America license plate.

The bill provides that the governing body of each publicly owned or publicly operated airport must grant free parking to a vehicle displaying a:

- Disabled Veterans license plate;
- Disabled Veteran license plate stamped with the international wheelchair symbol; or
- Paralyzed Veterans of America license plate.

The bill also adds vehicles displaying the Disabled Veteran license plate stamped with the international wheelchair symbol or the Paralyzed Veterans of America license plate to the list of vehicles that may not be charged for parking by a county, municipality, or any agency thereof, in a facility or lot that provides timed parking spaces outside of certain conditions.

B. SECTION DIRECTORY:

Section 1: Amends s. 316.1964, F.S., requiring the governing body of each publicly owned or publicly operated airport to grant free parking to any vehicle displaying specified license plates for disabled veterans; clarifying that such license plates, rather than "DV" license plates, are exempt from certain parking fees charged by a county, municipality, or an agency thereof; making technical changes.

Section 2: Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

¹³ s. 320.0845, F.S.

¹⁴ Paralyzed Veterans of America, *Membership Information*,

http://www.pva.org/site/c.ajIRK9NJLcJ2E/b.6305541/k.57F9/Membership_Information.htm (last visited October 9, 2015)

¹⁵ DHSMV Email, *supra* note 10.

1. Revenues:

None

2. Expenditures:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill could have a negative but indeterminate fiscal impact on local governments.

2. Expenditures:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

A vehicle displaying a disabled veterans license plate, disabled veteran license plate stamped with the international wheelchair symbol, or Paralyzed Veterans of America license plate may not be charged for parking in an airport facility and may not be charged a fee for parking in a county or municipality parking facility or lot that provides timed parking spaces outside of certain conditions.

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 parking for disabled veterans;
 3 amending s. 316.1964, F.S.; requiring the governing
 4 body of each publicly owned or publicly operated
 5 airport to grant free parking to any vehicle
 6 displaying specified license plates for disabled
 7 veterans; clarifying that such license plates, rather
 8 than "DV" license plates, are exempt from certain
 9 parking fees charged by a county, municipality, or an
 10 agency thereof; making technical changes; providing an
 11 effective date.

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

14
 15 Section 1. Subsections (1), (7), and (8) of section
 16 316.1964, Florida Statutes, are amended to read:

17 316.1964 Exemption of vehicles transporting certain
 18 persons who have disabilities from payment of parking fees and
 19 penalties.—

20 (1) A state agency, county, municipality, or any agency
 21 thereof, may not exact any fee for parking on the public streets
 22 or highways or in any metered parking space from the driver of a
 23 vehicle that displays:

24 (a) A disabled parking permit or a license plate issued
 25 under s. 316.1958 or s. 320.0848; or

26 (b) A license plate issued under s. 320.084, s. 320.0842,

27 s. 320.0843, or s. 320.0845.

28

29 Such exemptions apply only if the vehicle is transporting the
 30 person who has a disability and to whom the disabled parking
 31 permit or license plate was issued.

32 (7) An airport that owns, operates, or leases parking
 33 facilities, or any other parking facilities that are used for
 34 the purpose of air travel, may charge for parking vehicles that
 35 display a disabled parking permit or license tag issued under s.
 36 316.1958, ~~s. 320.084, s. 320.0842,~~ s. 320.0843, ~~s. 320.0845,~~ or
 37 s. 320.0848. However, the governing body of each publicly owned
 38 or publicly operated airport must grant free parking to a ~~any~~
 39 vehicle:

40 (a) Displaying a license plate for disabled veterans
 41 issued under s. 320.084, s. 320.0842, or s. 320.0845;

42 (b) With specialized equipment, such as ramps, lifts, or
 43 foot or hand controls, ~~or for use utilization~~ by a person who
 44 has a disability; or

45 (c) ~~whose vehicle is~~ Displaying the Florida Toll Exemption
 46 permit.

47 (8) Notwithstanding subsection (1), a county,
 48 municipality, or any agency thereof may charge for parking in a
 49 facility or lot that provides timed parking spaces any vehicle
 50 that displays a disabled parking permit, except for a vehicle:
 51 ~~that~~

52 (a) ~~any vehicle~~ With specialized equipment, such as ramps,

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53 lifts, or foot or hand controls, for use by a person who has a
54 disability;~~;~~

55 (b) or any vehicle that is Displaying a the "DV" license
56 plate for disabled veterans issued under s. 320.084, s.
57 320.0842, or s. 320.0845; or

58 (c) Displaying the Florida Toll Exemption permit,~~is~~
59 ~~exempt from any parking fees.~~

60 Section 2. This act shall take effect July 1, 2016.