



Transportation & Infrastructure Subcommittee

**Tuesday, January 21, 2020
12:30 PM – 2:30 PM
Reed Hall (102 HOB)**

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Transportation & Infrastructure Subcommittee

Start Date and Time: Tuesday, January 21, 2020 12:30 pm

End Date and Time: Tuesday, January 21, 2020 02:30 pm

Location: Reed Hall (102 HOB)

Duration: 2.00 hrs

Consideration of the following bill(s):

HB 569 Diesel Exhaust Fluid by Overdorf

HB 571 Vehicle and Vessel Registration Data and Functionality by Fernandez-Barquin

HB 1135 License Plates by Grant, J.

Consideration of the following bill(s) with proposed committee substitute(s):

PCS for HB 387 -- License Plate Fees

NOTICE FINALIZED on 01/16/2020 4:04PM by Denson.Tori

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 569 Diesel Exhaust Fluid
SPONSOR(S): Overdorf and others
TIED BILLS: **IDEN./SIM. BILLS:** SB 1036

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee		Johnson	Vickers
2) Agriculture & Natural Resources Appropriations Subcommittee			
3) State Affairs Committee			

SUMMARY ANALYSIS

The United States Environmental Protection Agency requires diesel exhaust fluid (DEF) to be used in newer diesel engines, including diesel-powered vehicles used for aircraft and airport support. DEF is an exhaust additive that reduces diesel emissions by neutralizing nitrogen oxide into harmless nitrogen gas and water.

In recent years, a number of aircraft have experienced engine shutdowns and other engine operability issues resulting from the contamination of jet fuel due to the inadvertent filling of fuel truck anti-icing injection system reservoirs with DEF instead of fuel system icing inhibitor. The Federal Aviation Administration has made a number of preliminary safety recommendations regarding the use of DEF at airports including additional training and the adoption of best management practices.

The bill requires that DEF be phased out of use at public airports by October 1, 2030. The bill also requires the managers of public airports which utilize certain diesel vehicles to create a DEF safety mitigation and exclusion plan and provides minimum requirements for such plan. The plans must be approved by the regulatory authority having jurisdiction over the airport and be submitted to the Department of Environmental Protection. The airport manager must annually review and resubmit the plan, with any amendments, to the department, until all DEF and vehicles using DEF have been removed from the premises of the airport.

The bill may have an indeterminate negative fiscal impact on the state and local governments. Tenants of public airports may incur expenditures associated with complying with DEF safety mitigation and exclusion plans and the replacement of vehicles and equipment that utilize DEF. See Fiscal Analysis for details.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Diesel Exhaust Fluid

As part of the Clean Air Act of 1990, the United States Environmental Protection Agency (EPA) has, in order to curb air pollution, mandated stronger emission control standards for vehicle engines. Nitrogen Oxide (NOx) emissions can be a major pollutant from diesel engines and the EPA has targeted them for significant reductions. In 2007, the EPA mandated that all new on-road heavy duty vehicles manufactured after 2010 meet certain requirements, with light duty vehicles to meet these requirements in 2014. In order to meet these standards, technologies such as selective catalytic reduction have been developed.¹

In diesel vehicles, selective catalytic reduction reduces NOx emissions by injecting diesel exhaust fluid (DEF) into ammonia, which in the presence of the catalyst, reacts with the exhaust NOx to neutralize it into harmless nitrogen gas and water.²

DEF is a nontoxic, nonhazardous and colorless aqueous solution of automotive grade Urea in deionized water.³

Airport Use of Diesel Exhaust Fluid

At public airports, the airport and its tenants use DEF in various diesel-powered vehicles including aircraft refueling equipment, diesel aircraft fire-fighting equipment, life-saving equipment, and emergency generators.⁴

In recent years, a number of aircraft have experienced engine shutdowns and other engine operability issues due to the contamination of jet fuel as a result of the inadvertent filling of aircraft fuel trucks anti-icing injection system with DEF instead of fuel system icing inhibitor.⁵

Due to fuel system designs, some aircraft require fuel system icing inhibitor to prevent engine operability issues in cold weather. Due to this requirement, for many years, airport refueling trucks have been equipped with fuel system icing inhibitor injections systems, which require a fuel system icing inhibitor fluid reservoir mounted on the truck to supply the injection system during refueling. However, new refueling trucks contain a DEF reservoir in addition to the fuel system icing inhibitor reservoir. Since the EPA's mandate for selective catalytic reduction on non-road diesel trucks began in 2014, airport refueling trucks with two reservoirs have begun appearing at airports.⁶

Between November 2017 and May 2019, there were three instances, two in Florida, in which multiple aircraft had jet fuel contaminated with DEF or were refueled using equipment exposed to DEF. Because of these instances, numerous aircraft had to perform emergency landings. The Federal Aviation Administration (FAA) conducted a hazard analysis, and issued preliminary recommendations to address the problem, including additional training for ground support crews, adoption of best management practices, and dyeing either DEF or fuel system icing inhibitor so they can be distinguished from each other.⁷ One recommendation called for the aviation industry to request that EPA issue

¹ Aircraft Diesel Exhaust Fluid Contamination Working Group, *A collaborative Industry Report on the Hazard of Diesel Exhaust Fluid Contamination of Aircraft Fuel*, June 11, 2019. P. 3-4 (Copy on file with Transportation & Infrastructure Subcommittee).

² *Id.*

³ *Id.*

⁴ Email from Lisa Waters, President/CEO Florida Airports Council, Diesel Exhaust Fluid, Nov. 4, 2019. (Copy on file with Transportation & Infrastructure Subcommittee).

⁵ Federal Aviation Administration, *Safety Assessment for Jet Fuel Contamination with Diesel Exhaust Fluid*. August 30, 2019. P.4. (Copy on file with Transportation & Infrastructure Subcommittee).

⁶ *Id.*

⁷ *Id.*

permanent relief from emission control/system performance inducements (which require the use of DEF) for any non-road diesel engine powered vehicles at or on airports.⁸

Effect of the Bill

The bill requires that, by October 1, 2030, the presence, storage, or use of DEF, including the use of DEF to treat the exhaust of a selective catalytic reduction engine, on the premises of a public airport⁹ must be phased out.

The bill requires the manager at each public airport where aviation fuels receive onsite treatment with fuel system icing inhibitors, and any aircraft fuel delivery vehicle or ground service equipment treated with DEF is operated within 150 feet of any aircraft to create a DEF safety mitigation and exclusion plan.

At a minimum, the DEF safety mitigation and exclusion plan must include:

- A full inventory of all DEF on the airport's premises.
- Designation of specific areas where DEF is to be stored on the airport's premises. Such areas may not be located within or on a vehicle operated for the fueling or servicing of aircraft or at any aviation fuel transfer facility or bulk aviation fuel storage facility.
- Designation of specific areas where a vehicle the exhaust system of which is being treated with DEF is to be refueled or treated with such fluid. Such areas must be segregated from all aircraft operating areas.

By September 30, 2020, the regulatory authority having jurisdiction over the airport must approve the DEF safety mitigation and exclusion plan. By October 1, 2020, the manager must submit the plan to the Department of Environmental Protection (DEP) and certify that all such fluid and vehicles have been secured within the premises of the airport.

By January 1, 2021, the DEF safety mitigation and exclusion plan must be fully implemented on the premises of the airport. Each year thereafter, the manager must review the plan and submit the plan, including applicable amendments, to DEP for certification. If DEP determines that the use of DEF is being phased out, DEP must certify the plan for that year.

Once all DEF and all vehicles the exhaust system of which were being treated with such fluid have been removed from the premises of the airport, the manager must submit a written report to DEP certifying such removal. If DEP determines that such removal has been accomplished, the annual certification is no longer required.

The presence, storage, or use of DEF on the premises of a public airport is prohibited after October 1, 2030.

B. SECTION DIRECTORY:

Section 1 creates s. 330.401, F.S., providing for the phase-out of diesel exhaust fluid; reports and certification; prohibition.

Section 2 provides an effective date of July 1, 2020.

⁸ *Id.* at 2

⁹ Section 330.27(6), F.S., defines the term "public airport" as an airport, publicly or privately owned, which is open for use by the public.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill does not appear to impact state government revenues.

2. Expenditures:

There is an indeterminate, but likely insignificant fiscal impact to DEP associated with reviewing and certifying airport plans regarding the use of DEF.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill does not appear to impact local government revenues.

2. Expenditures:

There is an indeterminate, but possibly negative fiscal impact to local governments operating public airports associated with reporting requirements and the possible replacement of vehicles and equipment that require the use of DEF.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Tenants of public airports, including fuel providers, will likely incur expenditures associated with complying with the DEF safety mitigation and exclusion plan, and the possible replacement of vehicles and equipment that utilize DEF.

D. FISCAL COMMENTS:

Public airports and their tenants may have significant investments in vehicles and equipment utilizing DEF. The required phase-out of the use of DEF may render some of this equipment inoperable and require public airports and their tenants to replace this equipment. Additionally, there may not be replacement equipment available that does not utilize DEF.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The county/municipality mandates provision of Art. VII, section 19 of the Florida Constitution may apply because the bill requires public airports to develop DEF safety mitigation and exclusion plans; however, an exemption may apply since there is likely an insignificant fiscal impact.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

This bill does not grant rulemaking authority, nor does it require rulemaking authority.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.

1 A bill to be entitled
 2 An act relating to diesel exhaust fluid; creating s.
 3 330.401, F.S.; requiring the presence, storage, or use
 4 of diesel exhaust fluid on the premises of a public
 5 airport to be phased out by a certain date; requiring
 6 the manager of each public airport that meets certain
 7 criteria to create a diesel exhaust fluid safety
 8 mitigation and exclusion plan for submission to the
 9 Department of Environmental Protection; providing plan
 10 requirements; requiring annual certification of the
 11 plan by the department until all diesel exhaust fluid
 12 has been removed; prohibiting the presence, storage,
 13 or use of diesel exhaust fluid on the premises of a
 14 public airport after a certain date; providing an
 15 effective date.

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

18
 19 Section 1. Section 330.401, Florida Statutes, is created
 20 to read:

21 330.401 Phase-out of diesel exhaust fluid; reports and
 22 certification; prohibition.-

23 (1) The presence, storage, or use of diesel exhaust fluid,
 24 including the use of such fluid to treat the exhaust of a
 25 selective catalytic reduction engine, on the premises of a

26 public airport as defined in s. 330.27 must be phased out by
27 October 1, 2030, as provided in this section.

28 (2) (a) The manager of each public airport at which:

29 1. Aviation fuels receive onsite treatment with fuel
30 system icing inhibitors by means of injection or mixing systems;
31 and

32 2. Any aircraft fuel delivery vehicle or ground service
33 equipment the exhaust system of which is being treated with
34 diesel exhaust fluid is operated within 150 feet of any aircraft

35
36 shall create a diesel exhaust fluid safety mitigation and
37 exclusion plan.

38 (b) The plan must include, at a minimum:

39 1. A full inventory of all diesel exhaust fluid on the
40 premises of the airport.

41 2. Designation of specific areas where diesel exhaust
42 fluid is to be stored on the premises of the airport. Such areas
43 may not be located within or on a vehicle operated for the
44 fueling or servicing of aircraft or at any aviation fuel
45 transfer facility or bulk aviation fuel storage facility.

46 3. Designation of specific areas where a vehicle the
47 exhaust system of which is being treated with diesel exhaust
48 fluid is to be refueled or treated with such fluid. Such areas
49 must be segregated from all aircraft operating areas.

50 (3) The diesel exhaust fluid safety mitigation and

51 exclusion plan must be approved by the regulatory authority
52 having jurisdiction over the airport by September 1, 2020. The
53 manager must, by October 1, 2020, submit the plan to the
54 Department of Environmental Protection and certify that all such
55 fluid and vehicles have been secured within the premises of the
56 airport.

57 (4) (a) The diesel exhaust fluid safety mitigation and
58 exclusion plan must be fully implemented on the premises of the
59 airport by January 1, 2021.

60 (b) Each year thereafter, the manager shall review the
61 plan and shall submit the plan, including applicable amendments,
62 to the Department of Environmental Protection for certification.
63 If the department determines that the use of diesel exhaust
64 fluid is being phased out as described in subsection (1), the
65 department shall certify the plan for that year.

66 (c) Once all diesel exhaust fluid and all vehicles the
67 exhaust system of which were being treated with such fluid have
68 been removed from the premises of the airport, the manager must
69 submit a written report to the department certifying such
70 removal. If the department determines that such removal has been
71 accomplished, the annual certification provided in paragraph (b)
72 is no longer required.

73 (5) The presence, storage, or use of diesel exhaust fluid
74 on the premises of a public airport as described in subsection
75 (1) is prohibited after October 1, 2030.

HB 569

2020

76 | Section 2. This act shall take effect July 1, 2020. |

Amendment No.

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: Transportation &
 2 Infrastructure Subcommittee
 3 Representative Overdorf offered the following:

Amendment (with title amendment)

6 Remove everything after the enacting clause and insert:
 7 Section 1. Section 330.401, Florida Statutes, is created
 8 to read:

9 330.401 Diesel exhaust fluid safety mitigation and
 10 exclusion plan; certification.-

11 (1) (a) The governing body of each public airport as
 12 defined in s. 330.27 at which:

13 1. Aviation fuels receive onsite treatment with fuel
 14 system icing inhibitors by means of injection or mixing systems;
 15 and

16 2. Any aircraft fuel delivery vehicle or ground service

Amendment No.

17 equipment the exhaust system of which is being treated with
18 diesel exhaust fluid is operated within 150 feet of any aircraft
19
20 shall create a diesel exhaust fluid safety mitigation and
21 exclusion plan.

22 (b) The plan must include, at a minimum:

23 1. A full inventory of all diesel exhaust fluid on the
24 premises of the airport.

25 2. Designation of specific areas where diesel exhaust
26 fluid may be stored on the premises of the airport. To the
27 extent practicable, such areas may not be located within or on a
28 vehicle operated for the fueling or servicing of aircraft or at
29 any aviation fuel transfer facility or bulk aviation fuel
30 storage facility.

31 3. Designation of specific areas where diesel exhaust
32 fluid may be added to vehicles. Such areas may not be located in
33 aircraft operating areas.

34 4. Incorporation of best practices for ensuring the proper
35 labeling and storage of diesel exhaust fluid.

36 5. Incorporation of training in the proper use and storage
37 of diesel exhaust fluid for all persons on the premises of the
38 airport who may come in contact with such fluid in the ordinary
39 course of his or her duties.

40 (2) The diesel exhaust fluid safety mitigation and
41 exclusion plan must be approved by the governing body by

Amendment No.

42 September 1, 2020. The governing body must, by October 1, 2020,
43 submit the plan to the Department of Transportation and certify
44 that all diesel exhaust fluid has been secured within the
45 premises of the airport.

46 (3) The diesel exhaust fluid safety mitigation and
47 exclusion plan must be fully implemented on the premises of each
48 airport by January 1, 2021.

49 (4) By January 1 of each year, beginning in 2022, each
50 public airport must certify to the department its compliance
51 with its plan.

52 Section 2. This act shall take effect July 1, 2020.

53

54 -----

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

56 Remove everything before the enacting clause and insert:
57 An act relating to diesel exhaust fluid; creating s. 330.401,
58 F.S.; requiring the governing body of each public airport that
59 meets certain criteria to create a diesel exhaust fluid safety
60 mitigation and exclusion plan for submission to the Department
61 of Transportation; providing plan requirements; requiring an
62 annual certification of compliance; providing an effective date.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 571 Vehicle and Vessel Registration Data and Functionality

SPONSOR(S): Fernandez-Barquin

TIED BILLS: **IDEN./SIM. BILLS:** SB 1086

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee		Roth	Vickers
2) Transportation & Tourism Appropriations Subcommittee			
3) State Affairs Committee			

SUMMARY ANALYSIS

Tax collectors are authorized agents of the Department of Highway Safety and Motor Vehicles (DHSMV) who issue motor vehicle and vessel registration certificates, motor vehicle registration license plates and validation stickers, vessel numbers and decals to applicants. Each tax collector must keep a full and complete record and account of all validation stickers, mobile home stickers, vessel decals, or other properties received by him or her from DHSMV. Both DHSMV and the tax collectors use third-party agents who provide information technology support, including online and mobile applications.

The Florida Real Time Vehicle Information System (FRVIS) is the database application maintained by DHSMV to issue and account for tags, titles, and registrations for motor vehicles and vessels. FRVIS must be installed in every tax collector's and license tag agent's office in accordance with a schedule established by DHSMV in consultation with the tax collectors and contingent upon funds being made available for the system by the state.

The bill provides, for the purpose of enhancing customer services provided by tax collectors on behalf of DHSMV, the Department must provide tax collectors and their agents with the same real-time access to the same data that DHSMV provides to all other third-parties. The bill specifies that this includes data related to motor vehicle and mobile home registration certificates, registration license plates, and validation stickers as well as vessel registration certificates and vessel numbers and decals including, but not limited to, each owner's current residential and electronic mail address.

There is an indeterminate fiscal impact. See Fiscal Analysis for details.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Registration Requirements

The motor vehicle registration process is set out in s. 320.02, F.S. Upon the receipt of an initial application for registration and payment of the appropriate license tax and other fees required by law, DHSMV must assign to the motor vehicle a registration license number consisting of letters and numbers and issue to the owner a certificate of registration and a registration license plate.¹ For each registration period after the one in which the metal license plate is issued, and until the license plate is required to be replaced, a validation sticker showing the month and year of expiration shall be issued upon payment of the proper license tax amount and fees and is valid for not more than 12 or 24 months accordingly.²

DHSMV is responsible for issuing vessel registrations.³ Applications for titles and registrations must be filed at a county tax collector's office.⁴ Every vessel operated, used, or stored on the waters of Florida must be registered unless it is:

- A vessel operated, used, and stored exclusively on private lakes and ponds;
- A vessel owned by the United States Government;
- A vessel used exclusively as a ship's lifeboat; or
- A non-motor-powered vessel less than 16 feet in length or a non-motor-powered canoe, kayak, racing shell, or rowing scull, regardless of length.⁵

The certificate of registration must be pocket-sized and be available for inspection on the vessel for which it is issued whenever such vessel is in operation.⁶ Additionally, a decal signifying the year or years during which the certificate is valid must be furnished by DHSMV with each certificate of registration issued and affixed to the front of the vessel.⁷

Florida Real Time Vehicle Information System

DHSMV maintains the Florida Real Time Vehicle Information System (FRVIS) that facilitates the collection of taxes and fees for tags, titles, and registrations associated with motor vehicles and vessels.⁸ Local tax collector and tag agent offices throughout the state process tag, title, and registration transactions through FRVIS.⁹ According to DHSMV, FRVIS processed approximately 413.1 million transactions for the collection of approximately \$3.22 billion in revenue from taxes and fees associated with tags, titles, and registrations for motor vehicles and vessels during Fiscal Year 2018-2019, including amounts retained by local tax collector and tag agent offices.¹⁰ These funds, together with all other sources of DHSMV's revenue, are distributed through FRVIS to various state agencies, including DHSMV, and non-state entities in accordance with governing Florida Statutes.¹¹

¹ Section 320.06(1)(a), F.S.

² Section 320.06(1)(c), F.S.

³ Section 328.48(3), F.S.

⁴ Section 328.48(1)(a), F.S.

⁵ Section 328.48(2), F.S.

⁶ Section 328.48(4), F.S.

⁷ Section 328.48(5), F.S.

⁸ Department of Highway Safety and Motor Vehicles, *Florida Real Time Vehicle Information System (FRVIS): Information Technology Operational Audit*, at 1 (April 2014), available at https://flauditor.gov/pages/pdf_files/2014-183.pdf (last visited March 21, 2019).

⁹ *Id.* at 1-2.

¹⁰ E-mail from Kevin Jacobs, Deputy Legislative Affairs Director, Department of Highway Safety and Motor Vehicles, RE: HB 571, (December 19, 2019).

¹¹ DHSMV, *supra* at 2, FN 8.

FRVIS is composed of two processing environments. The first is a distributed environment that consists of the servers at local tax collector and tag agent offices that process tag, title, and registration transactions throughout the state. The second environment is the host portion that consists of the back-end processing that is conducted centrally at DHSMV's primary data center.¹²

In addition to residential street addresses, DHSMV is authorized to collect and store (in FRVIS) e-mail addresses. E-mail addresses may be used, in lieu of the United States Postal Service, to provide certain renewal notices, including registration renewal notices, driver license renewal notices, and vessel registration renewal notices.^{13,14,15,16,17}

Registration Duties of Tax Collectors

Tax collectors are authorized agents of DHSMV that issue motor vehicle and vessel registration certificates, motor vehicle registration license plates and validation stickers, mobile home stickers, and vessel numbers and decals to applicants.¹⁸ Each tax collector must keep a full and complete record and account of all validation stickers, mobile home stickers, vessel decals, or other properties received by him or her from DHSMV.¹⁹ FRVIS must be installed in every tax collector's and license tag agent's office in accordance with a schedule established by DHSMV in consultation with the tax collectors and contingent upon funds being made available for the system by the state.²⁰

Memorandums of Understanding

Access to DHSMV's systems and data is governed by various Memorandums of Understanding (MOU) between DHSMV, tax collectors, and other third-party entities. The MOUs document how the data will be used and protected, and ensure compliance with various state and federal laws, including the federal Driver's Privacy Protection Act.²¹ Both DHSMV and the tax collector's offices utilize private vendors who assist with various services and are governed by MOUs.

Proposed Changes

The bill amends s. 320.03, F.S., requiring DHSMV to provide tax collectors and their approved agents and vendors with the same real-time access to data that DHSMV provides to other third-parties. The accessible real-time data received from DHSMV must be related to motor vehicle and mobile home registration certificates, registration license plates, and validation stickers, including but not limited to, each owner's current residential and electronic mail address.

The bill amends s. 328.73, F.S., requiring DHSMV to provide tax collectors and their approved agents and vendors with the same real-time access to data that DHSMV provides to other third-parties. The accessible real-time data received from DHSMV must be related to vessel registration certificates and vessel numbers and decals, including but not limited to, each owner's current residential and electronic mail address.

Additionally, the bill authorizes DHSMV to require a tax collector's approved agent or vendor to enter into an MOU that cannot be more restrictive than any MOU between DHSMV or any other third-party vendor.

B. SECTION DIRECTORY:

Section 1: Amends s. 320.03, F.S., relating to registration; duties of tax collectors; International Registration Plan.

¹² *Id.*

¹³ Section 319.40, F.S.

¹⁴ Section 320.95, F.S.

¹⁵ Section 322.08(10), F.S.

¹⁶ Section 328.30, F.S.

¹⁷ Section 328.80, F.S.

¹⁸ Sections 320.03(1) and 328.73(1), F.S.

¹⁹ Sections 320.03(3) and 328.73(2), F.S.

²⁰ Section 320.03(4)(b), F.S.

²¹ Department of Highway Safety and Motor Vehicles, Agency Analysis of 2020 House Bill 571, p. 2 (December 20, 2019).

Section 2: Amends s. 328.73, F.S., relating to registration; duties of tax collectors.

Section 3: Provides an effective date of July 1, 2020.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill will likely have no impact on state government revenues.

2. Expenditures:

Implementation may require significant staffing and programming to DHSMV's systems, including to FRVIS, as use cases are identified and approved. However, the fiscal impact to the Department is indeterminate at this time.²²

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

Having real time access to data could allow tax collectors to process additional transactions that they currently do not have the ability to process. They may see a positive indeterminate fiscal impact as a result.

2. Expenditures:

The bill will likely have no impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditure of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill does not provide a grant of rulemaking authority, nor does it require rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

²² *Id.* at 4.

Comments:

DHSMV has indicated that the bill is written broadly and may warrant additional clarification with respect to the requirements of the MOUs involving DHSMV and third-party vendors.²³

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

²³ *Id.* at 5.

1 A bill to be entitled
 2 An act relating to vehicle and vessel registration
 3 data and functionality; amending ss. 320.03 and
 4 328.73, F.S.; requiring the Department of Highway
 5 Safety and Motor Vehicles to provide tax collectors
 6 and their approved agents and vendors with real-time
 7 access to certain vehicle and vessel registration data
 8 and functionality in the same manner as provided to
 9 other third parties; authorizing the department to
 10 require a memorandum of understanding; providing an
 11 effective date.

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

14
 15 Section 1. Paragraph (b) of subsection (4) of section
 16 320.03, Florida Statutes, is amended to read:

17 320.03 Registration; duties of tax collectors;
 18 International Registration Plan.—

19 (4)

20 (b) The Florida Real Time Vehicle Information System shall
 21 be installed in every tax collector's and license tag agent's
 22 office in accordance with a schedule established by the
 23 department in consultation with the tax collectors and
 24 contingent upon funds being made available for the system by the
 25 state. For the purpose of enhancing customer services provided

26 by tax collectors on behalf of the department, the department
27 shall provide tax collectors and their approved agents and
28 vendors with real-time access to the same data and functionality
29 that all other third parties receive from the department related
30 to motor vehicle and mobile home registration certificates,
31 registration license plates, and validation stickers, including,
32 but not limited to, each applicant's current residential address
33 and each applicant's current electronic mail address collected
34 pursuant to s. 320.95. The department may require a tax
35 collector's approved agent or vendor that requests data or
36 functionality pursuant to this paragraph to enter into a
37 memorandum of understanding, which may not be more restrictive
38 than any memorandum of understanding between the department and
39 any other third-party vendor.

40 Section 2. Subsection (1) of section 328.73, Florida
41 Statutes, is amended to read:

42 328.73 Registration; duties of tax collectors.—

43 (1) The tax collectors in the counties of the state, as
44 authorized agents of the department, shall issue registration
45 certificates and vessel numbers and decals to applicants,
46 subject to the requirements of law and in accordance with rules
47 of the department. For the purpose of enhancing customer
48 services provided by tax collectors on behalf of the department,
49 the department shall provide tax collectors and their approved
50 agents and vendors with real-time access to the same data and

51 functionality that all other third parties receive from the
52 department related to vessel registration certificates and
53 vessel numbers and decals, including, but not limited to, each
54 applicant's current residential address and each applicant's
55 current electronic mail address collected pursuant to s. 328.30.
56 The department may require a tax collector's approved agent or
57 vendor that requests data or functionality pursuant to this
58 paragraph to enter into a memorandum of understanding, which may
59 not be more restrictive than any memorandum of understanding
60 between the department and any other third-party vendor.

61 Section 3. This act shall take effect July 1, 2020.

Amendment No.

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: Transportation &
 2 Infrastructure Subcommittee
 3 Representative Fernandez-Barquin offered the following:
 4

Amendment (with title amendment)

6 Remove lines 34-39 and insert:
 7 pursuant to s. 320.95.

8 Remove lines 56-60

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

13 Remove lines 9-10 and insert:
 14 other third parties; providing an

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1135 License Plates

SPONSOR(S): Grant, J.

TIED BILLS: HB 387 **IDEN./SIM. BILLS:** SB 412

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee		Johnson	Vickers
2) Transportation & Tourism Appropriations Subcommittee			
3) State Affairs Committee			

SUMMARY ANALYSIS

There are over 120 specialty license plates available to any motor vehicle owner or lessee who is willing to pay the annual use fee for such plate. The Department of Highway Safety and Motor Vehicles (DHSMV) distributes the collected fees to statutorily designated organizations in support of a particular cause or charity. DHSMV must discontinue the issuance of an approved specialty license plate if it fails to meet certain statutory requirements.

The bill makes several changes related to specialty and special license plates. The bill:

- Establishes a cap of 125 specialty license plates and provides a process for the discontinuation of low performing specialty license plates and the addition of new specialty license plates.
- Authorizes DHSMV to issue specialty license plates for fleet and motor vehicle dealer vehicles.
- Creates 17 new specialty license plates and specifies the design of the plate and the distribution of the associated annual use fees.
- Revises provisions regarding existing specialty license plates and discontinues specified specialty license plates.
- Creates special use plates for recipients of the Purple Heart and Bronze Star.
- Removes the statutory authorization for special license plates for former legislators and members of Congress.

The bill removes existing \$25 annual use fees for various specialty license plates because PCS/HB 387 (2020), which is linked to this bill, establishes an annual use fee of \$25 for all specialty license plates, unless otherwise stated.

According to DHSMV, the bill will have a negative, though likely insignificant, fiscal impact associated with the programming effort required for the specialty and special license plates provisions.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Specialty License Plates

Background

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and 10 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 Currently, there is no limit on the number of specialty license plates the Department of Highway Safety and Motor Vehicles (DHSMV) may issue nor the number of specialty license plates the Legislature may approve.

Requirements for Establishing Specialty License Plates

Section 320.08053, F.S., provides the statutory requirements to establish a specialty license plate. If a specialty license plate requested by an organization is approved by law, the organization submits its proposed art design to DHSMV as soon as practicable, but no later than 60 days after the act approving such plate becomes a law.²

Within 120 days following the specialty license plate becoming law, DHSMV establishes a method to issue a specialty license plate voucher allowing for the presale of such plate. The \$5 processing fee,³ the service charge and branch fee,⁴ and the annual use fee for the specialty license plate are charged for the voucher. All other applicable fees are charged at the time the license plate is issued.⁵

Within 24 months after establishing a presale specialty license plate voucher, the approved specialty license plate must record with DHSMV a minimum of 1,000 voucher sales before the license plate may be manufactured. If, at the conclusion of the 24-month presale period, the minimum sales requirement is not met, the specialty license plate is deauthorized and DHSMV discontinues the plate's development and the issuance of the presale vouchers. Upon deauthorization of the specialty license plate, a purchaser of the specialty license plate voucher may use the annual use fee collected as a credit towards any other specialty license plate or apply to DHSMV for a refund.⁶

Specialty License Plates, Generally

DHSMV is responsible for developing specialty license plates authorized in s. 320.08053, F.S.⁷ DHSMV must issue a specialty license plate to the owner or lessee of any motor vehicle, except a vehicle registered under the International Registration Plan, a commercial truck required to display two license plates, or a truck tractor, upon request and payment of the appropriate license tax and fees.⁸

Each request for a specialty license plate must annually be made to DHSMV or its authorized agent⁹ accompanied by the following tax and fees: the vehicle's required license tax,¹⁰ a processing fee of

¹ The annual use fees for specific specialty license plates are provided in s. 320.08056(4), F.S.

² Section 320.08053(1), F.S.

³ The processing fee is prescribed in s. 320.08056, F.S.

⁴ Service charges and branch fees are prescribed in s. 320.04, F.S.

⁵ Section 320.08053(2)(a), F.S.

⁶ Section 320.08053(2)(b), F.S.

⁷ Section 320.08056(1), F.S.

⁸ Section 320.08056(2), F.S.

⁹ DHSMV's authorized agents are the county tax collectors.

¹⁰ Motor vehicle license taxes are set forth in s. 320.08, F.S.

\$5,¹¹ a license plate fee,¹² and a license plate annual use fee as required for the specialty license plate.¹³

A request for a specialty license plate may be made any time during a vehicle's registration period. If a request is made for a specialty license plate to replace a current valid license plate, the specialty license plate must be issued with the appropriate decals attached with no license tax for the plate; however, all fees and service charges must be paid. If a request is made for a specialty license plate at the beginning of the registration period, the tax, together with all applicable fees and service charges, must be paid.

If a vehicle owner or lessee to whom DHSMV has issued a specialty license plate acquires a replacement vehicle within the owner's registration period, DHSMV authorizes a transfer of the specialty license plate to the replacement vehicle.¹⁴ The annual use fee or processing fee may not be refunded.¹⁵

Specialty license plates must bear the design required by law for the appropriate specialty license plate, and must conform to DHSMV's design specifications. All specialty license plates must be the same material and size as standard license plates issued for any registration period and may bear an appropriate slogan, emblem, or logo in a size and placement that conforms to DHSMV's design specifications.¹⁶

DHSMV annually retains from the first proceeds derived from the annual use fees collected an amount sufficient to defray each specialty license plate's pro rata share of DHSMV's costs directly related to the specialty license plate program. Such costs include inventory costs, distribution costs, direct costs to DHSMV, costs associated with reviewing each organization's compliance with audit and attestation requirements,¹⁷ and any applicable increased costs of manufacturing the specialty license plate. The Department of Management Services must verify any cost increase to DHSMV related to the actual cost of the plate, including a reasonable vendor profit. The balance of the proceeds from the annual use fees collected for that specialty license plate are distributed as provided by law.¹⁸

DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty license 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 registrations falls below 1,000 plates. This does not apply to collegiate license plates.^{19, 20}

DHSMV may discontinue the issuance of a specialty license plate and distribution of associated annual use fee proceeds if the organization no longer exists, if the organization has stopped providing services authorized to be funded from the annual use fee proceeds, if the organization does not meet the presale requirements,²¹ or pursuant to an organizational recipient's request. Organizations must notify DHSMV immediately to stop all warrants for plate sales if any of these conditions exist and must meet certain audit and attestation requirements for any period of operation during a fiscal year.²²

¹¹ The \$5 processing fee is deposited into the Highway Safety Operating Trust Fund.

¹² Section 320.06(1)(b), F.S., provides for a \$2.80 annual license plate replacement fee to defray the cost of replacing the license plate every 10 years.

¹³ Section 320.08056(3), F.S.

¹⁴ This is in accordance with s. 320.0609, F.S.

¹⁵ Section 320.08056(5), F.S.

¹⁶ Section 320.08056(6), F.S.

¹⁷ Specialty license plate audit and attestations requirements are in s. 320.08062, F.S.

¹⁸ Section 320.08056(7), F.S.

¹⁹ Collegiate license plates are established under s. 320.08058(3), F.S.

²⁰ Section 320.08056(8)(a), F.S.

²¹ Presale requirements are prescribed in s. 320.08053, F.S.

²² Section 320.08056(8)(b), F.S.

The organization that requested the specialty license plate may not redesign the specialty license plate unless the inventory of those plates has been depleted. However, the organization may purchase the remaining inventory of the specialty license plate from DHSMV at cost.²³

A specialty license plate annual use fee collected and distributed, or any interest earned from those fees, may not be used for commercial or for-profit activities or for general or administrative expenses (except as authorized by law), and may not be used to pay the cost of the required audit or report. The fees, and any interest earned, may be expended only for use in this state unless the annual use fee is derived from the sale of United States Armed Forces and veterans-related specialty license plates.²⁴

The term “administrative expenses” means those expenditures considered direct operating costs of the organization, and include, but are not limited to:

- Administrative salaries of employees and officers of the organization who do not or cannot prove, via detailed daily time sheets that they actively participate in program activities.
- Bookkeeping and support services of the organization.
- Office supplies and equipment not directly utilized for the specified program.
- Travel time, per diem, mileage reimbursement, and lodging expenses not directly associated with a specified program purpose.
- Paper, printing, envelopes, and postage not directly associated with a specified program purpose.
- Miscellaneous expenses such as food, beverage, entertainment, and conventions.²⁵

The annual use fee from the sale of specialty license plates, the interest earned from those fees, or any fees received by an agency as a result of the sale of specialty license plates may not be used for the purpose of marketing to or lobbying, entertaining, or rewarding an employee of a governmental agency responsible for the sale and distribution of specialty license plates, or an elected member or employee of the Legislature.²⁶

The application form for a specialty license plate must provide the applicant the option to instruct DHSMV to provide his or her name, address, and renewal date to the sponsoring organization.²⁷

Audits and Attestations

All organizations receiving annual use fee proceeds from DHSMV are responsible for ensuring that proceeds are used in accordance with state law.²⁸ Any organization not subject to audit pursuant to the Florida Single Audit Act²⁹ must annually attest, under penalties of perjury, that such proceeds were used in compliance with applicable state laws.³⁰

Any organization subject to audit pursuant to the Florida Single Audit Act must submit an audit report in accordance with the Auditor General’s rules. The annual attestation must be submitted to DHSMV for review within nine months after the end of the organization’s fiscal year.³¹

Within 120 days after receiving an organization’s audit or attestation, DHSMV must determine which recipients of revenues from specialty license plate annual use fees have not complied with the appropriate statutory provisions. In determining compliance, DHSMV may commission an independent actuarial consultant, or an independent certified public accountant, who has expertise in nonprofit and charitable organizations.³²

²³ Section 320.08056(9), F.S.

²⁴ Section 320.08056(10)(a), F.S.

²⁵ Section 320.08056(10)(b), F.S.

²⁶ Section 320.08056(11), F.S.

²⁷ Section 320.08056(12), F.S.

²⁸ Section 320.08062(1)(a), F.S.

²⁹ Section 215.97, F.S.

³⁰ Section 320.08062(1)(b), F.S.

³¹ Section 320.08062(1)(c), F.S.

³² Section 320.08062(2)(a), F.S.

DHSMV must discontinue the distribution of revenues to any organization failing to submit the required documentation, but may resume distribution of the revenues upon receipt of the required information.³³

If DHSMV or its designee determines that an organization has not complied with or has failed to use the revenues in accordance with applicable law, DHSMV must discontinue the distribution of the revenues to the organization. DHSMV must notify the organization of its findings and direct the organization to make the changes necessary in order to comply. If the officers of the organization sign an affidavit under penalties of perjury stating they acknowledge the findings of DHSMV and attest they have taken corrective action and that the organization will submit to a follow-up review by DHSMV, then DHSMV may resume the distribution of revenues.³⁴

If an organization fails to comply with DHSMV's recommendations and corrective actions, the revenue distributions must be discontinued until completion of the next regular session of the Legislature. DHSMV must notify the President of the Senate and the Speaker of the House of Representatives by the first day of the next regular session of any organization whose revenues have been withheld. If the Legislature does not provide direction to the organization and DHSMV regarding the status of the undistributed revenues, DHSMV must deauthorize the plate and the undistributed revenues are immediately deposited into the Highway Safety Operating Trust Fund.³⁵

DHSMV or its designee has the authority to examine all records pertaining to the use of funds from the sale of specialty license plates.³⁶

Fleet/Dealer Specialty License Plates

Section 320.06, F.S., provides requirements for the design of various license plates and requires dealer license plates to be imprinted with "Florida" at the top and "Dealer" at the bottom.

Current law provides for permanent registration for fleet license plates.³⁷ The term "fleet" means nonapportioned motor vehicles owned or leased by a company and used for business purposes.³⁸ According to DHSMV, in order to participate in the fleet vehicle program the company must have a minimum of 200 vehicles or a minimum of 25 trailers or semitrailers used exclusively to haul agricultural products.³⁹

The owner or lessee of a fleet of motor vehicles must, upon application in the manner and at the time prescribed, and upon DHSMV approval and payment of the appropriate license tax, be issued permanent fleet license plates. All vehicles with a fleet license plate must have the company's name or logo and unit number displayed so that they are readily identifiable.⁴⁰

Fleet license plates must have the word "Fleet" appearing at the bottom and the word "Florida" appearing at the top. The plates must conform in all respects to Ch. 320, F.S., except as specified.⁴¹

Effect of Proposed Changes

The bill increases the required number of voucher sales from 1,000 to 3,000 prior to DHSMV manufacturing a specialty license plate, and requires an out-of-state college or university license plate to meet a minimum sale of 4,000 vouchers.

³³ Section 320.08062(2)(b), F.S.

³⁴ Section 320.08062(2)(c), F.S.

³⁵ Section 320.08062(2)(d), F.S.

³⁶ Section 320.08062(3), F.S.

³⁷ Section 320.0657, F.S.

³⁸ Section 320.0657(1), F.S.

³⁹ Email from Kevin Jacobs, Deputy Director of Legislative Affairs, Department of Highway Safety and Motor Vehicles, RE: HB 1135-Specialty License Plates, Jan. 9, 2020. (Copy on file with Transportation & Infrastructure Subcommittee).

⁴⁰ Section 320.0657(2)(a), F.S.

⁴¹ Section 320.0657(2)(b), F.S.

The bill provides that new specialty license plates that have been approved by law but are awaiting issuance will be issued in the order they appear in s. 320.08056(4), F.S.,⁴² provided all requirements, including the presale requirement, have been met. If the next awaiting specialty license plate has not met the presale requirement, DHSMV must proceed in the order provided in law to identify the next qualified specialty license plate that has met the presale requirement. DHSMV must cycle through the list in statutory order.

If the Legislature has approved 125 or more specialty license plates, DHSMV may not make any new specialty license plates available for design or issuance until a sufficient number of plates are discontinued⁴³ so that the number of plates being issued is reduced to fewer than 125. The 125-license plate limit applies to all specialty license plates, including those above the minimum sales threshold and those exempt from the threshold.

The bill removes existing \$25 annual use fees for various specialty license plates because PCS/HB 387 (2020), which is linked to this bill, establishes an annual use fee of \$25 for all specialty license plates, unless otherwise stated.

The bill allows a vehicle owner or lessee issued a specialty license plate that has been discontinued by DHSMV to keep the discontinued specialty license plate for the remainder of the 10-year license plate replacement period⁴⁴ and requires the owner or lessee to pay all other applicable registration fees. However, the owner or lessee is exempt from paying the applicable specialty license plate fee for the remainder of the 10-year license plate replacement period.

If DHSMV discontinues issuance of a specialty license plate, all annual use fees held or collected by the department must be distributed within 180 days after the date the specialty license plate is discontinued. Of those fees, DHSMV must retain an amount sufficient to defray the applicable administrative and inventory closeout costs associated with discontinuing the plate. The remaining funds are distributed to the appropriate organization or organizations.⁴⁵ If an organization no longer exists, DHSMV must deposit any undistributed funds into the Highway Safety Operating Trust Fund.

The bill requires, on January 1 of each year, DHSMV to discontinue the specialty license plate with the fewest number of plates in circulation, including license plates exempt from a statutory sales requirement. The bill requires DHSMV to mail a warning letter to the sponsoring organizations of the 10 percent of specialty license plates with the lowest number of valid, active registrations as of December 1 of each year.

Effective July 1, 2023, the bill requires DHSMV to discontinue the issuance of approved specialty license plates if the number of valid registrations falls below 3,000 plates for 12 consecutive months, instead of the current 1,000-plate threshold. The threshold for out-of-state college or university license plates is 4,000. In addition to the existing exemption from this requirement for in-state collegiate license plates, the bill provides exceptions for institutions in and entities of the State University System, specialty license plates with statutory eligibility limitations for purchase, specialty license plates for which the annual use fees are distributed by a foundation for student and teacher leadership programs and teacher recruitment and retention, or Florida Professional Sports Team license plates.⁴⁶

The bill authorizes specialty license plate fees for out-of-state college or university specialty license plates be spent outside of Florida. Additionally, the bill provides that for out-of-state college or university license plates, the recipient organization must have established an endowment based in Florida for the purpose of providing scholarships to Florida residents meeting the statutory requirements, and provide documentation to DHSMV that the organization obtained the college's or university's consent to use an appropriate image on a license plate.

⁴² Section 320.08056(4), F.S., lists specific specialty license plates and their annual use fees.

⁴³ Specialty license plates will be discontinued pursuant to s. 320.08056(8), F.S.

⁴⁴ License plates are issued for a 10-year period pursuant to s. 320.06(1)(b)1., F.S.

⁴⁵ Distributions to recipient organizations are pursuant to s. 320.08058, F.S.

⁴⁶ Florida Professional Sports Team license plates are established in s. 320.08058(9), F.S.

The bill prohibits any entity from using specialty license plate revenue for lobbying. The current prohibition is limited to agencies.

The bill requires DHSMV to audit any specialty license plate revenue recipient every three years if the organization is not subject to the Florida Single Audit Act. The purpose of this audit is to ensure that specialty license plate proceeds have been used in compliance with Florida Statutes.

The bill authorizes “Dealer” and “Fleet” specialty license plates. It provides that a dealer specialty license plate is not required to say “dealer” at the bottom of the license plate.

The bill provides that for the additional annual use fee for the specific specialty license plate, fleet companies may purchase specialty license plates in lieu of the standard fleet license plates. Fleet companies are responsible for all costs associated with the specialty license plates, including all annual use fees, processing fees, fees associated with switching license plate types, and other applicable fees. The bill establishes similar requirements for dealer specialty license plates.

The bill allows DHSMV to authorize dealer and fleet specialty license plates and provides that, with the permission of the sponsoring specialty license plate organization, a dealer or fleet company may purchase specialty license plates for use on dealer or fleet vehicles. Notwithstanding s. 320.08058, F.S., a dealer or fleet specialty license plate must include the letters “DLR” or “FLT” on the right side of the license plate. Dealer and fleet specialty license plates must be ordered directly through DHSMV.

The bill removes the American Red Cross plate, Donate Organs Pass It On plate, St. Johns River plate, and Hispanic Achievers plate from law as these plates have been discontinued.

Existing and New Specialty License Plates

Special Olympics Florida License Plate

Present Situation

Section 320.08058(7), F.S., creates the Special Olympics Florida specialty license plate with an annual use fee of \$15. The license plate contains the official Special Olympics Florida logo with “Florida” centered at the bottom of the plate, and “Everyone Wins” centered at the top of the plate.

Effect of Proposed Changes

The bill redesigns the Special Olympics Florida specialty license plate with “Florida” centered at the top of the plate and “Be a Fan” centered at the bottom of the plate.

Florida Golf License Plate

Present Situation

Section 320.08058(35), F.S., creates the Florida Golf specialty license plate with an annual use fee of \$25. DHSMV distributes the license plate’s annual use fee to the Dade Amateur Golf Association to be allocated annually as follows:

- Up to 15 percent of the proceeds may be used by the Dade Amateur Golf Association for the administration of the Florida Junior Golf Program.
- The Dade Amateur Golf Association must receive the first \$80,000 in proceeds for the operation of youth golf programs in Miami-Dade County. Thereafter, 15 percent of the proceeds must be provided to the Dade Amateur Golf Association for the operation of youth golf programs in Miami-Dade County.
- The remaining proceeds must be made available for grants to nonprofit organizations to operate youth golf programs and for marketing the Florida Golf license plate.

Effect of Proposed Changes

The bill provides that 30 percent of the proceeds, instead of the current 15 percent, is provided to the Dade Amateur Golf Association for operating youth golf programs in Miami-Dade County and

authorizes the use of these proceeds for expenditures necessary to comply with the Americans with Disabilities Act.

Live the Dream License Plate

Present Situation

Section 320.08058(48), F.S., creates the Live the Dream specialty license plate with an annual use fee of \$25. Proceeds from the Live the Dream specialty license plate are distributed to the Dream Foundation, Inc., which retained the first \$60,000 in proceeds from the annual use fees as reimbursement for administrative costs, startup costs, and costs incurred in the specialty license plate approval process. After those costs are reimbursed, up to 25 percent of the proceeds must be used for continuing promotion and marketing of the license plate and concept. The remaining funds must be distributed as follows:

- Twenty-five percent equally among the sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc., for programs providing research, care, and treatment for sickle cell disease.
- Twenty-five percent to the Florida chapter of the March of Dimes for programs and services improving the health of babies through preventing birth defects and infant mortality.
- Ten percent to the Florida Association of Healthy Start Coalitions to decrease racial disparity in infant mortality and to increase healthy birth outcomes. Funding will be used by local Healthy Start Coalitions to provide services and increase screening rates for high-risk pregnant women, children under four years of age, and women of childbearing age.
- Ten percent to the Community Partnership for Homeless, Inc., for programs that provide relief from poverty, hunger, and homelessness.
- Five percent to the Dream Foundation, Inc., for administrative costs directly associated with operations relating to the management and distribution of the proceeds.

Effect of Proposed Changes

The bill revises the distribution of funds for the Live the Dream specialty license plate. The bill provides that the proceeds from the annual use fees are distributed to the Dream Foundation, Inc., to be used as follows:

- Up to 5 percent may be used to administer, promote, and market the license plate.
- At least 60 percent must be distributed equally among the sickle cell organizations that are Florida members of the Sickle Cell Disease Association of America, Inc.
- At least 30 percent must be distributed to Chapman Partnership, Inc.⁴⁷
- Up to 5 percent may be distributed by DHSMV on behalf of The Dream Foundation, Inc. to the Martin Luther King, Jr. Center for Nonviolent Social Change, Inc., as a royalty for the use of the image of Dr. Martin Luther King, Jr.

In God We Trust License Plate

Present Situation

Section 320.08058(66), F.S., creates the In God We Trust specialty license plate with an annual use fee of \$25. The annual use fees are distributed to the In God We Trust Foundation, Inc., to fund educational scholarships for the children of Florida residents who are members of the United States Armed Forces, the National Guard, and the United States Armed Forces Reserve and for the children of public safety employees who have died in the line of duty who are not covered by existing state law. In addition, funds must be distributed to other non-profit organizations that may apply for grants and scholarships and to provide educational grants to public and private schools to promote the historical and religious significance of American and Florida history. The In God We Trust Foundation, Inc., must distribute the license plate annual use fees in the following manner:

- The In God We Trust Foundation, Inc., retains all revenues from the sale of the license plates until all startup costs for developing and establishing the license plate have been recovered.

⁴⁷ In 2011, Community Partnership for the Homeless changed its name to Chapman Partnership.

- Ten percent of the funds received by the In God We Trust Foundation, Inc., must be spent on administrative costs, promotion, and marketing of the license plate directly associated with the operations of the In God We Trust Foundation, Inc.
- All remaining funds must be expended by the In God We Trust Foundation, Inc., for programs.

Effect of Proposed Changes

The bill revises the distribution of the annual use fees to allow the foundation to use up to 10 percent of the proceeds to offset marketing, administration, and promotion, and the remainder of the proceeds to address the needs of the military community and the public safety community; provide educational grants and scholarships to foster self-reliance and stability in Florida's children; and provide education in public and private schools regarding the historical significance of religion in American and Florida history.

Fallen Law Enforcement Officer License Plate

Present Situation

Section 320.08058(80), F.S., creates the Fallen Law Enforcement Officers license plate with an annual use fee of \$25. The annual use fees are distributed to the Police and Kids Foundation, Inc., which may use a maximum of 10 percent of the proceeds to promote and market the plate. The remainder of the proceeds must be used by the Police and Kids Foundation, Inc., to invest and reinvest, and the interest earnings must be used for the operation of the Police and Kids Foundation, Inc.

Effect of Proposed Changes

The bill maintains the 10 percent cap on the use of the proceeds for marketing the license plate, and requires that all remaining proceeds be used for the operations, activities, programs, and projects of the Police and Kids Foundation, Inc.

Beat Childhood Cancer License Plate

Present Situation

Neuroblastoma (nb) is a cancer that affects children. It is among the most common childhood tumors, and typically affects children under five years old. The majority of childhood neuroblastoma cases are aggressive, showing survival rates of less than 60 percent with standard chemotherapy, and a 50 percent relapse rate. Once relapsed, there is currently no curative treatment, and for those under five years old, the survival rate is less than 10 percent.⁴⁸ Beat Nb's mission is to support neuroblastoma cancer research and to raise awareness of the disease.⁴⁹

The Ryan Callahan Foundation's goal is to give children battling cancer their families an exciting escapes their daily hardships.⁵⁰

Effect of Proposed Changes

The bill creates the Beat Childhood Cancer specialty license plate, bearing DHSMV-approved colors and design. The word "Florida" appears at the top of the plate and "Beat Childhood Cancer" appears at the bottom of the plate. The annual use fees from the Beat Childhood Cancer license plate are to be distributed as follows:

- Seventy-five percent of the proceeds are distributed to Beat Nb, Inc., which may use up to 10 percent of its proceeds for administrative costs directly associated with the operation of the corporation and for marketing and promoting the plate. All remaining proceeds must be used by Beat Nb, Inc., to fund pediatric cancer treatment and research.
- Twenty-five percent of the proceeds are distributed to the Ryan Callahan Foundation, Inc., to be used by the corporation to fund pediatric cancer treatment and research.

Auburn University License Plate

⁴⁸ Beat Nb, Inc. *Neuroblastoma*, <https://beatnb.org/neuroblastoma/> (Last visited Jan. 8, 2020).

⁴⁹ Beat Nb, Inc. *Our Mission and Vision*, <https://beatnb.org/about-us/> (Last visited Jan. 8, 2020).

⁵⁰ Ryan Callahan Foundation, <https://ryancallahanfoundation.org/> (Last visited Jan. 8, 2020)

Present Situation

The Tampa Bay Auburn Club is an officially chartered group of Auburn University Alumni and Friends. Its stated mission is to encourage more top Tampa Bay area students to attend Auburn University and to foster the spirit of Auburn University throughout the Tampa Bay Area.⁵¹ The Tampa Bay Auburn Club currently administers an endowed scholarship.⁵²

Effect of Proposed Changes

The bill creates the Auburn University specialty license plate, bearing DHSMV-approved colors and design. The word “Florida” appears at the top of the plate and “War Eagle” appears at the bottom of the plate. The bill distributes the annual use fees from the Auburn University specialty license plates to the Tampa Bay Auburn Club for awarding scholarships to Florida residents attending Auburn University. Students receiving these scholarships must be eligible for the Florida Bright Futures Scholarship Program⁵³ and must use the scholarship funds for tuition and other expenses related to attending Auburn University.

Ducks Unlimited License Plate

Present Situation

Ducks Unlimited is a waterfowl and wetlands conservation organization founded in 1937. The mission of Ducks Unlimited is habitat conservation.⁵⁴ Since 1985, Ducks Unlimited has worked to conserve more than 29,000 acres of Florida wetlands.⁵⁵

Effect of Proposed Changes

The bill creates a Ducks Unlimited license plate, bearing DHSMV-approved colors and design. The word “Florida” appears at the top of the plate and “Conserving Florida Wetlands” appears at the bottom of the plate. The annual use fee is distributed to Ducks Unlimited, Inc., to be used as follows:

- Up to 5 percent of the proceeds may be used for administrative costs and marketing of the plate.
- At least 95 percent of the proceeds must be used in Florida to support Ducks Unlimited’s mission and efforts to conserve, restore, and manage Florida wetlands and associated habitats for the benefit of waterfowl, other wildlife, and people.

Donate Life Florida License Plate

Present Situation

Donate Life Florida is a non-profit organization contracted by the Agency for Health Care Administration to create the state’s organ, tissue, and eye donor registry.⁵⁶

Effect of Proposed Changes

The bill creates the Donate Life Florida license plate, bearing DHSMV-approved colors and design. The word “Florida” appears at the top of the plate, and “Donors Save Lives” appears at the bottom of the plate. The annual use fees from the Donate Life Florida license plate are distributed to Donate Life Florida, which may use up to 10 percent of the proceeds for marketing and administrative costs. All remaining proceeds must be used by Donate Life Florida to educate Florida residents on the importance of organ, tissue, and eye donation and for the continued maintenance of the Joshua Abbott Organ and Tissue Donor Registry, which is Florida’s official donor registry.

Florida State Beekeepers Association License Plate

⁵¹ Tampa Bay Auburn Club, Inc., *Tampa Bay Auburn Club*, <http://tampabayauburnclub.com/> (Last visited Jan. 8, 2020).

⁵² Tampa Bay Auburn Club, *Scholarships*, <http://tampabayauburnclub.com/scholarships/> (Last visited Jan. 8, 2020)

⁵³ The Florida Bright Futures Scholarship Program is created pursuant to s. 1009.531, F.S.

⁵⁴ Ducks Unlimited, *About Ducks Unlimited*, <https://www.ducks.org/About-DU?po=footer-m> (last visited Jan. 8, 2020).

⁵⁵ Ducks Unlimited, *Florida Conservation Projects*, <http://www.ducks.org/florida/florida-conservation-projects> (Last visited Jan. 8, 2020).

⁵⁶ Donate Life Florida, *About the Joshua Abbott Organ and Tissue Donor Registry*, <https://www.donatelifeflorida.org/about/> (Last visited Jan. 8, 2020).

Present Situation

The Florida State Beekeepers Association is dedicated to keeping Florida apiculture strong and healthy and is the major voice for the state's beekeeping industry. Its mission is to:

- Provide resources for the improvement of beekeeping by using proven techniques and procedures in the management of honeybees and shares this knowledge with everyone interested in the art of beekeeping.
- Promote the development of practical beekeeping methods in the state of Florida.
- Act in the interest of Florida beekeepers in advocating for and carrying on statewide beekeeping affairs.
- Act as a medium for and to aid in cooperative and mutual beekeeping methods.
- Act as the representative of the Florida beekeepers in state and national beekeeping affairs.⁵⁷

Effect of Proposed Changes

The bill creates the Florida State Beekeepers Association specialty license plate, bearing DHSMV-approved colors and design. The word “Florida” appears at the top of the plate and “Save the Bees” appears at the bottom of the plate. The annual use fees from the sale of the Florida State Beekeepers license plate are distributed to the Florida States Beekeepers Association, which may use up to 10 percent of the proceeds for administrative, promotional, and marketing costs of the plate. All remaining proceeds must be used to fund outreach and education to raise awareness of the importance of beekeeping to Florida agriculture, and to fund honeybee research and husbandry. The association’s board of managers must approve and is accountable for all such expenditures.

Rotary License Plate

Present Situation

Rotary is a global network of 1.2 million neighbors, friends, leaders, and problem-solvers who come together to make positive, lasting change in communities at home and abroad.⁵⁸ Founded in 1990, the Community Foundation of Tampa Bay is dedicated to helping individuals in Hillsborough, Pinellas, Pasco, and Hernando counties. The Foundation functions as a partnership between donors, nonprofits, community and business leaders, professional advisors, volunteers, and the residents of its four-county region.⁵⁹

Effect of Proposed Changes

The bill creates the Rotary license plate, bearing DHSMV-approved colors and design. The word “Florida” appears at the top of the plate and “Rotary” appears at the bottom of the plate. The license plate will also bear the Rotary International wheel emblem.

The annual use fees from the sale of the Rotary license plate are distributed to the Community Foundation of Tampa Bay, Inc., to be distributed as follows:

- Up to 10 percent of the proceeds for administrative costs and for marketing the plate;
- Ten percent of the proceeds are distributed to Rotary’s Camp Florida for direct support to all programs and services provided to special needs children who attend the camp; and
- All remaining proceeds are distributed, proportionally based on sales, to each Rotary district in the state to support Rotary youth programs in Florida.

Florida Bay Forever License Plate

Present Situation

The Florida National Parks Association, Inc., (FNPA) is the official not for profit entity of Everglades National Park, Biscayne National Park, Dry Tortugas National Park, and Big Cypress National Preserve. The purpose of the FNPA is to generate additional revenues to help supplement the park service’s budget as well as support educational, interpretive, and historical and scientific research. The

⁵⁷ Florida State Beekeepers Association, <https://flstatebeekeepers.com/> (Last visited Jan. 8, 2020).

⁵⁸ Rotary, *Who We Are*, <https://www.rotary.org/en/about-rotary> (Last visited Jan. 8, 2020).

⁵⁹ Community Foundation of Tampa Bay, *What We Do*, <https://www.cftampabay.org/what-we-do/> (Last visited Jan. 8, 2020).

FNPA also operates bookstores within the parks to help generate revenues as well as providing a visitor information services function on behalf of the National Park Service.⁶⁰

Effect of Proposed Changes

The bill creates the Florida Bay Forever license plate, bearing DHSMV-approved colors and design. The word “Florida” appears at the top of the plate and “Florida Bay Forever” appears at the bottom of the plate. The annual use fees from the sale of the Florida Bay Forever license plate are distributed to the FNPA, which may use up to 10 percent of the proceeds for administrative costs and marketing the plate. All remaining proceeds must be used to supplement the Everglades National Park budget and to support educational, interpretive, historical, and scientific research relating to the Everglades National Park.

Bonefish and Tarpon Trust License Plate

Present Situation

The Bonefish and Tarpon Trust’s mission is to conserve and restore bonefish and tarpon fisheries and habitats through research, stewardship, education, and advocacy.⁶¹

Effect of Proposed Changes

The bill creates a Bonefish and Tarpon Trust license plate, bearing DHSMV-approved colors and designs. The word “Florida” appears at the top of the plate, and “Bonefish and Tarpon Trust” appears at the bottom of the plate. The annual use fees from the sale of the Bonefish and Tarpon Trust license plate are distributed to the Bonefish and Tarpon Trust, which may use up to 10 percent of the proceeds to promote and market the license plate. All remaining proceeds must be used to conserve and enhance Florida bonefish and tarpon fisheries and their respective environments through stewardship, research, education, and advocacy.

Medical Professionals Who Care License Plate

Present Situation

Based in Gainesville, Florida Benevolent Group, Inc., assists students in obtaining a medical education through a college or certificate program. The organization’s desire is to offer assistance to individuals struggling to make it into school or to stay in school.⁶²

Effect of Proposed Changes

The bill creates a Medical Professionals Who Care specialty license plate, bearing DHSMV-approved colors and design. The word “Florida” appears at the top of the plate and “Medical Professionals Who Care” appears at the bottom of the plate. The annual use fees from the sale of the Medical Professionals Who Care license plate are distributed to Florida Benevolent Group, Inc., which may use up to 10 percent of the proceeds for administrative costs, marketing, and promoting the plate. All remaining proceeds must be used to assist low-income individuals in obtaining a medical education and career through scholarships, support, and guidance.

University of Georgia License Plate

Present Situation

Founded in 1946 as the Georgia Alumni Association of Jacksonville, the Georgia Bulldog Club of Jacksonville is America’s largest bulldog club.⁶³ In 1988, the club established the Vince Dooley Scholarship Fund to award scholarships to attend the University of Georgia for students from Duval, Nassau, St. Johns, Clay, or Baker counties based on academic and economic need.⁶⁴

⁶⁰ Florida National Parks Association Website, <https://floridanationalparksassociation.com/> (Last visited Jan. 8, 2020).

⁶¹ Bonefish and Tarpon Trust, *BTT Mission*, <https://www.bonefishtarpontrust.org/btt-mission> (Last visited Jan. 8, 2020).

⁶² Florida Benevolent Group, *About*, <https://www.floridabenevolentgroup.org/> (Last visited Jan. 8, 2020).

⁶³ Georgia Bulldog Club of Jacksonville, *Welcome to the Home of the Georgia Bulldog Club of Jacksonville*, <https://jaxbulldogs.com/> (Last visited Jan. 8, 2020).

⁶⁴ Georgia Bulldog Club of Jacksonville, *Scholarship*, <https://jaxbulldogs.com/scholarship-fund/> (Last visited Jan. 8, 2020).

Effect of Proposed Changes

The bill creates a University of Georgia specialty license plate, bearing DHSMV-approved colors and design. The word “Florida” appears at the top of the plate and “University of Georgia” appears at the bottom of the plate. The annual use fees from the University of Georgia specialty license plate are distributed to the Georgia Bulldog Club of Jacksonville, which must distribute the proceeds received for awarding scholarships to Florida residents attending the University of Georgia. Students receiving the scholarship must be eligible for the Florida Bright Futures Scholarship Program and use the scholarship funds for tuition and other expenses related to attending the University of Georgia.

Highwaymen License Plate

Present Situation

From the early 1950s through the 1980s, a group of 26 African-American artists, known as the "Florida Highwaymen," used vivid and bright colors to display the beautiful untouched Florida landscape. They painted from their garages and backyards on inexpensive Upson board and, on the weekends, traveled and sold their paintings to hotels, offices, businesses, and individuals who appreciated the artwork for approximately \$25 apiece. Currently, the market for an original work of art by a Florida Highwayman can bring \$5,000 or more. Some of the Highwaymen who are still living have resumed painting to meet the continuing demand for their work.⁶⁵

In 1984, the Florida Legislature authorized school districts to create local education foundations to raise private funds for programs to support students, teachers, and public schools in their respective districts. In 1990, the St. Lucie County Education Foundation was organized as a direct-support organization of the St. Lucie County School Board. The St. Lucie County Education Foundation is a non-profit organization that advances K-12 public education in St. Lucie County by increasing the capacity and resources of the district in partnership with key stakeholders.⁶⁶

Effect of Proposed Changes

The bill creates a Highwaymen specialty license plate, bearing DHSMV-approved colors and design. The word “Florida” appears at the top of the plate and “Highwaymen” appears at the bottom of the plate. The annual use fees from the Highwaymen specialty license plate are distributed to the City of Fort Pierce, subject to a city resolution designating the city as the license plate’s fiscal agent. The city may use up to 10 percent of the fees for administrative costs and marketing the license plate and must use the remainder of the fees as follows:

- Before completion of the construction of the Highwaymen Museum and African-American Cultural Center, the city must distribute at least 15 percent of the proceeds to the St. Lucie Education Foundation, Inc., to fund art education and art projects in public schools within St. Lucie County. All remaining proceeds must be used by the city to fund the construction of the Highwaymen Museum and African-American Cultural Center.
- Upon completion of construction of the Highwaymen Museum and African American Cultural Center, the city must distribute at least 10 percent to the St. Lucie Education Foundation, Inc., to fund area education and art projects within St. Lucie County. All remaining proceeds must be used by the city to fund the day-to-day operations of the Highwaymen Museum and African-American Cultural Center.

Dan Marino Campus License Plate

Present Situation

Based in Fort Lauderdale, The Dan Marino Foundation, Inc., is a nonprofit organization dedicated to improving the lives of persons with autism or other developmental disabilities.⁶⁷

Effect of Proposed Changes

⁶⁵ Florida Highwaymen, available at <http://www.floridahighwaymenpaintings.com/> (last visited Jan. 8, 2020).

⁶⁶ Education Foundation, *About Us*, available at <https://www.educationfoundationstlucie.org/p/3/about-us#.WjFxDGhSyUk> (Last visited Jan. 8, 2020).

⁶⁷ Dan Marino Foundation Website. <https://danmarinofoundation.org/> (Last visited Jan. 8, 2020).

The bill creates a Dan Marino Campus license plate, bearing DHSMV-approved colors and design. The word “Florida” appears at the top of the plate and “Marino Campus” appears at the bottom of the plate. The annual use fees from the sale of the Dan Marino Campus license plate are distributed to the Dan Marino Foundation, Inc., which may use up to 10 percent of the proceeds for administrative costs and marketing the plate. All remaining proceeds must be used to assist Floridians with developmental disabilities in becoming employed, independent, and productive; to promote awareness of such services; and to promote and fund education scholarships related to such services.

Orlando City Soccer License Plate

Present Situation

Section 320.08058(9), F.S., provides that Florida Professional Sports Team license plates must bear DHSMV-approved colors and design and must include the official league or team logo or both, as appropriate, for each team. The word “Florida” must appear at the top of the plate. The annual use fee is distributed as follows:

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

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

There are nine Florida Professional Sports Team specialty license plates available for purchase: Florida Panthers, Miami Heat, Tampa Bay Buccaneers, Jacksonville Jaguars, Miami Marlins, Tampa Bay Lightning, Miami Dolphins, Orlando Magic, and Tampa Bay Rays.⁶⁸

Orlando City Soccer Club was formed in 2010 and was awarded a Major League Soccer franchise in November 2013.⁶⁹

Effect of Proposed Changes

The bill creates an Orlando City Soccer Club specialty license plate, bearing DHSMV-approved colors and design. The new license plates will display the word “Florida” at the top of the plate and must include the official league or team logo, or both. The annual use fee from the Orlando City Soccer specialty license plate is distributed pursuant to the distribution of Florida Professional Sports Team license plates provided in current law.

Coastal Conservation Association License Plate

⁶⁸ Department of Highway Safety and Motor Vehicles, *Specialty License Plates*, available at: <https://www.flhsmv.gov/motor-vehicles-tags-titles/personalized-specialty-license-plates/specialty-license-plates/> (Last visited Jan. 14, 2019).

⁶⁹ Orlando City Soccer Club Website, *History*, <https://www.orlandocitysc.com/club/history> (Last visited Jan. 8, 2020).

Present Situation

Coastal Conservation Association Florida (CCAF) is a statewide, non-profit marine organization working in an advocacy role to protect the state's marine resources and the interests of saltwater anglers. It is comprised of 30 local chapters from Key West to Pensacola and it supports resource-based law enforcement, access to recreational fishing, and fishery regulations to protect state and federal fish stocks. CCAF is one of the 17 state chapters of the Coastal Conservation Association.⁷⁰

Effect of Proposed Changes

The bill directs DHSMV to develop the Coastal Conservation Association specialty license plate bearing DHSMV-approved colors and design. The new license plates will display the word "Florida" at the top of the plate and "Conserve Florida's Fisheries" at the bottom of the plate. The annual use fee is distributed to CCAF to support the mission and efforts of CCAF for habitat enhancement and restoration, saltwater fisheries conservation, and education; to advise the public on the conservation of marine resources; and to promote and enhance the present and future availability of those coastal resources for the benefit and enjoyment of the public. CCAF may use up to 10 percent of the proceeds for administrative costs and up to 10 percent of the proceeds to promote and market the plate.

Daughters of the American Revolution License Plate

Present Situation

The National Society Daughters of the American Revolution (DAR) was founded October 11, 1890, by a group of women in Washington, D.C., because of being excluded from the men's organizations to celebrate the women's ancestors who fought during the Revolutionary War. The objectives of the DAR are to continue the memory and spirit of men and women who achieved America's independence, to educate the public, and to foster patriotism and love of country. Since its founding in 1890, DAR has admitted more than 950,000 members.⁷¹

Effect of Proposed Changes

The bill creates the Daughters of the American Revolution license plate. The license plate must bear the DHSMV-approved colors and design. The word "Florida" appears at the top of the plate and "Daughters of the American Revolution" appears at the bottom of the plate. The annual use fees are distributed to the Daughters of the American Revolution. Up to 10 percent of the proceeds may be used for promoting and marketing the plate. The remainder of the proceeds must be used by the organization to promote patriotism, preserve American history, and secure America's future through educational programs for local public and private K-12 students and scholarships and other educational funding for underprivileged children.

Gadsden Flag License Plate

Present Situation

During the American Revolution, Colonel Christopher Gadsden of South Carolina had seen and liked a bright yellow banner with a hissing, coiled rattlesnake rising up in the center, and beneath the serpent the same words that appeared on the Striped Rattlesnake Flag - Don't Tread On Me. Colonel Gadsden made a copy of this flag and submitted the design to the Provincial Congress in South Carolina⁷²

The Florida Veterans Foundation is the direct support organization of the Florida Department of Veterans' Affairs. The Foundation's mission is to provide educational and outreach programs that will seek out and help veterans with suicide prevention and veterans with an opioid addiction recovery, provide a statewide veterans charity registry, and register veterans for U.S. Department of Veterans Affairs benefits.⁷³

Effect of Proposed Changes

⁷⁰ Coastal Conservation Association Florida, <https://www.ccaflorida.org/> (Last visited Jan. 8, 2020).

⁷¹ Daughters of the American Revolution, *DAR History*, <https://www.dar.org/national-society/about-dar/dar-history> (last visited January 8, 2020).

⁷² <http://www.usflag.org/history/gadsden.html> (Last visited Jan. 8, 2020).

⁷³ Florida Veterans Foundation, *About Florida Veterans Foundation*, <https://helpflvets.org/about/> (Last visited Jan. 14, 2020).

The bill creates the Gadsden Flag license plate, which must replicate the color, layout, and design of the Gadsden Flag. The word "Florida" must appear at the top of the plate, and the words "Don't Tread on Me" must appear at the bottom of the plate. The annual use fees are distributed to the Florida Veterans Foundation, Inc., and must be used to benefit veterans. Up to 10 percent of the proceeds may be used for continuing promotion and marketing of the license plate.

America the Beautiful License Plate

Present Situation

The America the Beautiful Fund is the fictitious name of Live Laugh Love Give, Inc.⁷⁴ Based in Tampa, this organization is a registered Florida nonprofit corporation.⁷⁵ The mission statement of Live Laugh Love Give, Inc., is "[e]mpowering children and families against dependency. Animal assistance, sanctuaries, and wildlife preservation. Education grants to better the world. Enhancing lives of military families."⁷⁶

Effect of Proposed Changes

The bill creates the America the Beautiful license plate, bearing DHSMV-approved design and colors. The word "Florida" appears at the top of the plate and "America the Beautiful" appears at the bottom of the plate. The annual use fees are distributed to the America the Beautiful Fund to be used as follows:

- Ten percent to offset administrative, marketing, and promotion costs.
- Ninety percent for projects and programs teaching character, leadership, and service to Florida youth; the provision of support services and assistance to the military community; outdoor education advancing self-sufficiency; wildlife conservation; the maintenance of historic or culturally important sites, buildings, structures, or objects; and the development and modification of playgrounds, recreational areas, or other outdoor amenities, including disability access.

University of Alabama License Plate

Present Situation

The Pensacola Bama Club is non-profit, fan-based organization representing the University of Alabama National Alumni Association in Pensacola, Florida. The Bama Club is open to alumni, friends and fans of the University of Alabama. One of the organization's primary missions is to provide scholarships to deserving local high school students.⁷⁷

Effect of Proposed Changes

The bill creates a University of Alabama specialty license plate, bearing DHSMV-approved colors and design. The word "Florida" appears at the top of the plate and "University of Alabama" appears at the bottom of the plate. The annual use fees from the University of Alabama specialty license plate are distributed to the Pensacola Bama Club, which use the proceeds for the purpose of awarding scholarships to Florida residents attending the University of Alabama. The proceeds must be deposited in the statutorily required endowment.⁷⁸ Students receiving the scholarship must be eligible for the Florida Bright Futures Scholarship Program and use the scholarship funds for tuition and other expenses related to attending the University of Alabama.

Preserve Vision

Present Situation

Preserve Vision Florida, formerly Prevent Blindness Florida, is a non-profit organization offering vision education and services to Florida's children and adults. Its focus is promoting a lifetime of healthy vision care through advocacy, education, screening, and research. Its mission is to promote healthy vision through vision awareness and education, vision screening, assistance to receive medical eye

⁷⁴ Department of State, Sunbiz.org, *Fictitious Name Detail, America the Beautiful Fund*, Registration No. G15000109272.

⁷⁵ Department of State, Sunbiz.org, *Detail by Entity Name, Live Laugh Love Give, Inc.*, Document No. N15000007314.

⁷⁶ See Live Laugh Love website, *About Us*, <https://www.livelaughlove.com/give> (Last visited Jan .14, 2020).

⁷⁷ Pensacola Bama Club, *About*, <https://www.pensacolabamaclub.org/about> (Last visited Jan. 14, 2020)

⁷⁸ The endowment is required by s. 320.08056(12), F.S.

care, and advocacy for vision and medical eye care health service.⁷⁹ In May 2016, the organization Prevent Blindness Florida changed its name to Preserve Vision Florida.⁸⁰

The annual use fee is distributed to The Able Trust as custodial agent. After paying administrative costs, The Able Trust distributes 20 percent of the proceeds to Prevent Blindness Florida.⁸¹

Effect of Proposed Changes

The bill changes the statutory reference from “Prevent Blindness Florida” to “Preserve Vision Florida” to reflect the change in the organization’s name.

Special License Plates for Former Federal and State Legislators

Present Situation

Section 320.0807, F.S., provides for special license plates for the Governor and federal and state legislators. Section 320.0807(5), F.S., provides that upon application by any current or former President of the Senate or current or former Speaker of the House of Representatives, and payment of the appropriate fees,⁸² DHSMV may issue a license plate stamped “Senate President” or “House Speaker” followed by the number assigned by DHSMV or chosen by the applicant if it is not already in use.

Upon application by any former member of Congress or former member of the state Legislature and payment of the appropriate registration fees, plus a one-time fee of \$500, DHSMV may issue a former member of Congress, State Senator, or State Representative a license plate stamped “Retired Congress,” “Retired Senate,” or “Retired House,” as appropriate, for a vehicle owned by the former member. To qualify for a Retired Congress, Retired Senate, or Retired House prestige license plate, a former member must have served at least four years as a member of Congress, State Senator, or State Representative. Four hundred fifty dollars of the one-time \$500 fee collected is distributed to the Florida Historic Capitol’s direct-support organization⁸³ to benefit the Florida Historic Capitol Museum, and the remaining \$50 is deposited into the Highway Safety Operating Trust Fund.

Effect of Proposed Changes

The bill repeals the authorization for the “Senate President” or “House Speaker” special license plate and special license plates for former members of Congress, former State Senators, and former State Representatives. Current members of Congress and legislators would still be authorized to receive special license plates indicating he or she is a member of Congress, State Senator, or State Representative.

Military Special License Plates

Present Situation

There are currently 21 special use license plates for motor vehicles authorized in s. 320.089, F.S. These special license plates are available to military service members or veterans for various types of service. Examples of military service special license plates include Veteran of the U.S. Armed Forces, World War II Veteran, and Woman Veteran. While anyone who pays the appropriate fees may purchase most specialty license plates, one must provide proof of eligibility to obtain a special license plate.

Special license plates are each stamped with words consistent with the type of special license plate issued. A likeness of the related campaign medal or badge appears on the plate followed by the license plate serial number.

⁷⁹ Preserve Vision Florida Website, <http://pvfla.org/about-us/> (Last visited Jan. 8, 2020).

⁸⁰ Department of State, Division of Corporations – Sunbiz.org, *Preserve Vision Florida, Inc.* (May 4, 2016), <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2016%5C0509%5C84865905.Tif&documentNumber=706503> (last visited Jan. 8, 2020).

⁸¹ Section 320.08068(4), F.S.

⁸² The fees are prescribed in s. 320.0805, F.S.,

⁸³ The Florida Historic Capitol direct support organization is established pursuant to s. 272.136, F.S.

Applicants for special license plates are required to pay the annual license tax⁸⁴ with the exception of certain disabled veterans who qualify for the Pearl Harbor, Purple Heart, or Prisoner of War plate, to whom such plates are issued at no cost.⁸⁵ The first \$100,000 in general revenue annually generated from the issuance of special use plates is deposited into the Grants and Donations Trust Fund under the Veterans' Nursing Homes of Florida Act.⁸⁶ Any additional general revenue is deposited into the State Homes for Veterans Trust Fund and used to construct, operate, and maintain domiciliary and nursing homes for veterans.⁸⁷

There are currently no special license plates authorized for motorcycles.

Purple Heart

The Purple Heart is awarded to members of the U.S. Armed Forces who are wounded by an instrument of war in the hands of the enemy and posthumously to the next of kin in the name of those who are killed in action or die of wounds received in action.⁸⁸

Bronze Star

The Bronze Star Medal is awarded to any person who, after December 6, 1941, while serving in any capacity with the U.S. Armed Forces, distinguishes himself or herself by heroic or meritorious achievement or service not involving participation in aerial flight.⁸⁹

Effect of Proposed Changes

The bill creates the Purple Heart motorcycle special license plate. Upon application to DHSMV and payment of the motorcycle license tax,⁹⁰ a resident who owns or leases a motorcycle that is not used for-hire or commercial use must be issued a Purple Heart motorcycle license plate if he or she provides documentation acceptable to DHSMV that he or she is a recipient of the Purple Heart medal. The Purple Heart motorcycle special license plate will be stamped with the term "Combat-wounded Veteran." The license plate may have the term "Purple Heart" stamped on the plate and the likeness of the Purple Heart Medal stamped on the license plate.

The bill authorizes DHSMV to create the Bronze Star special use license plate for recipients of the Bronze Star medal who provide proof of their qualification. The license plate will be stamped with the term "Bronze Star" and a likeness of the related campaign medal. Revenue generated from the sale of the Bronze Star special use license plate will be administered the same as the existing special use license plates, and deposited into the Grants and Donations Trust Fund and the State Homes for Veterans Trust Fund to support the State Veterans Homes Program.

B. SECTION DIRECTORY:

Section 1 amends s. 320.06, F.S., relating to registration certificates, license plates, and validation stickers.

Section 2 amends s. 320.0657, F.S., relating to permanent registration for fleet license plates.

Section 3 amends s. 320.08, F.S., relating to license taxes.

Section 4 amends s. 320.08053, F.S., relating to the establishment of specialty license plates.

Section 5 amends s. 320.08056, F.S., relating to specialty license plates.

Section 6 amends s. 320.08056, F.S., relating to specialty license plates, effective July 1, 2023.

⁸⁴ The annual license tax is provided in s. 320.08, F.S.

⁸⁵ Section 320.089(2)(a), F.S.

⁸⁶ Section 320.089(1)(b), F.S.

⁸⁷ *Id.*

⁸⁸ <http://www.purpleheart.org/HistoryOrder.aspx> (Last visited Jan. 8, 2020).

⁸⁹ Bronze Star Metal, <https://www.thebalance.com/bronze-star-medal-3344939> (Last visited Jan. 8, 2020).

⁹⁰ The license tax is provided in s. 320.08, F.S.,

Section 7 amends s. 320.08058, F.S., relating to specialty license plates.

Section 8 amends s. 320.08062, F.S., relating to audits and attestations required; annual use fees of specialty license plates.

Section 9 amends s. 320.08068, F.S., relating to motorcycle specialty license plates.

Section 10 amends s. 320.0807, F.S., relating to special license plates for Governor and federal and state legislators.

Section 11 creates s. 320.0875, F.S., relating to the Purple Heart special motorcycle license plate.

Section 12 amends s. 320.089, F.S., relating to certain special license plates.

Section 13 provides that except as otherwise expressly provided in this act, the act takes effect October 1, 2020, but only if HB 387 or similar legislation takes effect.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

Proceeds from the sale of the Orlando City Soccer Club specialty license plate will be deposited into the Professional Sports Development Trust Fund within DEO. To the extent that individuals choose to purchase this specialty license plate, there may be a positive, but indeterminate impact to the Professional Sports Development Trust Fund.

General revenue collected from the sale of the Purple Heart Motorcycle plate and the Bronze Star plate will be deposited into the Grants and Donations Trust Fund and the State Homes for Veterans Trust Fund within the Department of Veterans' Affairs. To the extent eligible individuals choose to purchase these plates, there may be an indeterminate, positive fiscal impact on the aforementioned trust funds.

The Florida Historic Capitol Trust Fund and the Highway Safety Operating Trust Fund may see a reduction in revenues due to the repeal of the authorization for "Senate President" or "House Speaker" special license plates and special license plates for former Members of Congress, former State Senators, and former State Representatives. However, the amount of revenue is likely insignificant.

2. Expenditures:

According to DHSMV, creation or modification of specialty and special license plates require system programming to implement. Depending on the number of distributions tied to the plate, the amount of programming may vary as will the resources needed to complete the changes. The average specialty/special license plate with a single distribution requires approximately 200-250 hours of programming, at a rate of \$35 to \$40 per hour.⁹¹ Additional distributions generally require an additional five to 10 hours per distribution. The bill creates 19 new license plates and amends the distribution of some other license plates. However, based upon other provisions in the bill, not all new license plates will be created at the same time. Therefore, the negative fiscal impact

⁹¹ Email from Kevin Jacobs, Deputy Director of Legislative Affairs, Department of Highway Safety and Motor Vehicles., RE., HBs 273/275 and 199/201, (January 24, 2019). Follow-up e-mail from Kevin Jacobs, Deputy Director of Legislative Affairs, Department of Highway Safety and Motor Vehicles, RE. Specialty License Plate Fiscal. (August 12, 2019).

associated with DHSMV's programming efforts is indeterminate, but likely insignificant, and can be absorbed within existing resources.

DHSMV states the cost to perform an audit every three years of each specialty license plate may result in an insignificant workload impact that can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

The bill does not appear to have a fiscal impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Organizations receiving specialty license plate revenue may experience additional revenues associated with the sale of specialty license plates.

D. FISCAL COMMENTS:

Current law prohibits the redesign of a specialty license plate unless the inventory of the license plate has been depleted. However, the organization may purchase the remaining inventory of the specialty license plate from DHSMV at the department's cost.⁹² Special Olympics Florida may be required to purchase the remaining inventory of its specialty license plate at DHSMV's cost prior to the authorized redesign of these license plates.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

This bill does not provide a grant or rulemaking authority, nor does it require rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Lines 162 through 172 of the bill require new specialty license plates awaiting issuance to be issued in the order they appear in s. 320.08056(4), F.S., which establishes the annual use fee for each specialty license plate. However, the bill, in lines 205 through 297, strike-through some of the license plate annual use fees, and PCS/HB 387, to which this bill is linked, creates a standard annual use fee of \$25, unless a different annual use fee is specified in statute.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.

⁹² Section 320.08056(9), F.S.
STORAGE NAME: h1135.TIS
DATE: 1/16/2020

1 A bill to be entitled
2 An act relating to license plates; amending s. 320.06,
3 F.S.; providing an exception to the design of dealer
4 license plates; amending s. 320.0657, F.S.; providing
5 an exception to the design of fleet license plates;
6 authorizing fleet companies to purchase specialty
7 license plates in lieu of standard fleet license
8 plates; requiring fleet companies to be responsible
9 for certain costs; amending s. 320.08, F.S.;
10 authorizing dealers to purchase specialty license
11 plates in lieu of standard graphic dealer license
12 plates; requiring dealers to be responsible for
13 certain costs; amending s. 320.08053, F.S.; revising
14 presale requirements for issuance of a specialty
15 license plate; amending s. 320.08056, F.S.; allowing
16 the Department of Highway Safety and Motor Vehicles to
17 authorize dealer and fleet specialty license plates;
18 providing requirements for such plates; deleting
19 provisions relating to annual use fees for certain
20 specialty license plates; revising provisions for
21 discontinuing issuance of a specialty license plate;
22 revising provisions relating to expenditure of annual
23 use fees and interest earned therefrom; prohibiting
24 annual use fees received by any entity from being used
25 for certain purposes; requiring certain organizations

26 | to establish endowments based in this state for
27 | providing scholarships to Florida residents and to
28 | provide documentation of consent to use certain
29 | images; amending s. 320.08058, F.S.; revising the
30 | design of the Special Olympics Florida specialty
31 | license plate; deleting certain specialty license
32 | plates; revising the distribution of annual use fees
33 | for certain specialty license plates; directing the
34 | department to develop certain specialty license
35 | plates; providing for distribution and use of fees
36 | collected from the sale of the plates; amending s.
37 | 320.08062, F.S.; directing the department to audit
38 | certain organizations that receive funds from the sale
39 | of specialty license plates; amending s. 320.08068,
40 | F.S.; requiring distribution of a specified percentage
41 | of motorcycle specialty license plate annual use fees
42 | to Preserve Vision Florida; amending s. 320.0807,
43 | F.S.; deleting provisions relating to special license
44 | plates for certain federal and state legislators;
45 | creating s. 320.0875, F.S.; providing for a special
46 | motorcycle license plate to be issued to a recipient
47 | of the Purple Heart; providing requirements for the
48 | plate; amending s. 320.089, F.S.; providing for a
49 | special license plate to be issued to a recipient of
50 | the Bronze Star; providing contingent effective dates.

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

Section 1. Paragraph (a) of subsection (3) of section 320.06, Florida Statutes, is amended to read:

320.06 Registration certificates, license plates, and validation stickers generally.—

(3) (a) Registration license plates must be made of metal specially treated with a retroreflection material, as specified by the department. The registration license plate is designed to increase nighttime visibility and legibility and must be at least 6 inches wide and not less than 12 inches in length, unless a plate with reduced dimensions is deemed necessary by the department to accommodate motorcycles, mopeds, or similar smaller vehicles. Validation stickers must also be treated with a retroreflection material, must be of such size as specified by the department, and must adhere to the license plate. The registration license plate must be imprinted with a combination of bold letters and numerals or numerals, not to exceed seven digits, to identify the registration license plate number. The license plate must be imprinted with the word "Florida" at the top and the name of the county in which it is sold, the state motto, or the words "Sunshine State" at the bottom. Apportioned license plates must have the word "Apportioned" at the bottom and license plates issued for vehicles taxed under s.

76 | 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have
 77 | the word "Restricted" at the bottom. License plates issued for
 78 | vehicles taxed under s. 320.08(12) must be imprinted with the
 79 | word "Florida" at the top and the word "Dealer" at the bottom
 80 | unless the license plate is a specialty license plate as
 81 | authorized in s. 320.08056. Manufacturer license plates issued
 82 | for vehicles taxed under s. 320.08(12) must be imprinted with
 83 | the word "Florida" at the top and the word "Manufacturer" at the
 84 | bottom. License plates issued for vehicles taxed under s.
 85 | 320.08(5)(d) or (e) must be imprinted with the word "Wrecker" at
 86 | the bottom. Any county may, upon majority vote of the county
 87 | commission, elect to have the county name removed from the
 88 | license plates sold in that county. The state motto or the words
 89 | "Sunshine State" shall be printed in lieu thereof. A license
 90 | plate issued for a vehicle taxed under s. 320.08(6) may not be
 91 | assigned a registration license number, or be issued with any
 92 | other distinctive character or designation, that distinguishes
 93 | the motor vehicle as a for-hire motor vehicle.

94 | Section 2. Paragraph (b) of subsection (2) of section
 95 | 320.0657, Florida Statutes, is amended to read:

96 | 320.0657 Permanent registration; fleet license plates.—

97 | (2)

98 | (b) The plates, which shall be of a distinctive color,
 99 | shall have the word "Fleet" appearing at the bottom and the word
 100 | "Florida" appearing at the top unless the license plate is a

101 specialty license plate as authorized in s. 320.08056. The
102 plates shall conform in all respects to the provisions of this
103 chapter, except as specified herein. For additional fees as set
104 forth in s. 320.08056, fleet companies may purchase specialty
105 license plates in lieu of the standard fleet license plates.
106 Fleet companies shall be responsible for all costs associated
107 with the specialty license plate, including all annual use fees,
108 processing fees, fees associated with switching license plate
109 types, and any other applicable fees.

110 Section 3. Subsection (12) of section 320.08, Florida
111 Statutes, is amended to read:

112 320.08 License taxes.—Except as otherwise provided herein,
113 there are hereby levied and imposed annual license taxes for the
114 operation of motor vehicles, mopeds, motorized bicycles as
115 defined in s. 316.003(4), tri-vehicles as defined in s. 316.003,
116 and mobile homes as defined in s. 320.01, which shall be paid to
117 and collected by the department or its agent upon the
118 registration or renewal of registration of the following:

119 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
120 motor vehicle dealer, independent motor vehicle dealer, marine
121 boat trailer dealer, or mobile home dealer and manufacturer
122 license plate: \$17 flat. For additional fees as set forth in s.
123 320.08056, dealers may purchase specialty license plates in lieu
124 of the standard graphic dealer license plates. Dealers shall be
125 responsible for all costs associated with the specialty license

126 | plate, including all annual use fees, processing fees, fees
127 | associated with switching license plate types, and any other
128 | applicable fees.

129 | Section 4. Section 320.08053, Florida Statutes, is amended
130 | to read:

131 | 320.08053 Establishment of ~~Requirements for requests to~~
132 | ~~establish~~ specialty license plates.—

133 | (1) If a specialty license plate requested by an
134 | organization is approved by law, the organization must submit
135 | the proposed art design for the specialty license plate to the
136 | department, in a medium prescribed by the department, as soon as
137 | practicable, but no later than 60 days after the act approving
138 | the specialty license plate becomes a law.

139 | (2) (a) Within 120 days after ~~following~~ the specialty
140 | license plate becomes ~~becoming~~ law, the department shall
141 | establish a method to issue a specialty license plate voucher to
142 | allow for the presale of the specialty license plate. The
143 | processing fee as prescribed in s. 320.08056, the service charge
144 | and branch fee as prescribed in s. 320.04, and the annual use
145 | fee as prescribed in s. 320.08056 shall be charged for the
146 | voucher. All other applicable fees shall be charged at the time
147 | of issuance of the license plates.

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

151 3,000 ~~1,000~~ voucher sales, or in the case of an out-of-state
152 college or university license plate, 4,000 voucher sales, before
153 manufacture of the license plate may commence. If, at the
154 conclusion of the 24-month presale period, the minimum sales
155 requirement has ~~requirements have~~ not been met, the specialty
156 plate is deauthorized and the department shall discontinue
157 development of the plate and discontinue issuance of the presale
158 vouchers. Upon deauthorization of the license plate, a purchaser
159 of the license plate voucher may use the annual use fee
160 collected as a credit towards any other specialty license plate
161 or apply for a refund on a form prescribed by the department.

162 (3) (a) New specialty license plates that have been
163 approved by law but are awaiting issuance under paragraph (b)
164 shall be issued in the order they appear in s. 320.08056(4)
165 provided that they have met the presale requirement. All other
166 provisions of this section must also be met before a specialty
167 license plate may be issued. If the next awaiting specialty
168 license plate has not met the presale requirement, the
169 department shall proceed in the order provided in s.
170 320.08056(4) to identify the next qualified specialty license
171 plate that has met the presale requirement. The department shall
172 cycle through the list in statutory order.

173 (b) If the Legislature has approved 125 or more specialty
174 license plates, the department may not make any new specialty
175 license plates available for design or issuance until a

176 sufficient number of plates are discontinued pursuant to s.
 177 320.08056(8) such that the number of plates being issued does
 178 not exceed 125. Notwithstanding s. 320.08056(8) (a), the 125-
 179 license-plate limit includes license plates above the minimum
 180 sales threshold and those exempt from that threshold.

181 Section 5. Subsection (12) of section 320.08056, Florida
 182 Statutes, is renumbered as subsection (13), subsections (2) and
 183 (4), paragraph (a) of subsection (10), and subsection (11) are
 184 amended, paragraphs (c) through (f) are added to subsection (8),
 185 and a new subsection (12) is added to that section, to read:

186 320.08056 Specialty license plates.—

187 (2) (a) The department shall issue a specialty license
 188 plate to the owner or lessee of any motor vehicle, except a
 189 vehicle registered under the International Registration Plan, a
 190 commercial truck required to display two license plates pursuant
 191 to s. 320.0706, or a truck tractor, upon request and payment of
 192 the appropriate license tax and fees.

193 (b) The department may authorize dealer and fleet
 194 specialty license plates. With the permission of the sponsoring
 195 specialty license plate organization, a dealer or fleet company
 196 may purchase specialty license plates to be used on dealer and
 197 fleet vehicles.

198 (c) Notwithstanding s. 320.08058, a dealer or fleet
 199 specialty license plate must include the letters "DLR" or "FLT"
 200 on the right side of the license plate. Dealer and fleet

201 specialty license plates must be ordered directly from the
 202 department.

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

205 ~~(a) Manatee license plate, \$25.~~

206 (a)~~(b)~~ Challenger/Columbia license plate, \$25, except that
 207 a person who ~~that~~ purchases 1,000 or more of such license plates
 208 shall pay an annual use fee of \$15 per plate.

209 ~~(c) Collegiate license plate, \$25.~~

210 (b)~~(d)~~ Florida Salutes Veterans license plate, \$15.

211 ~~(e) Florida panther license plate, \$25.~~

212 (c)~~(f)~~ Florida United States Olympic Committee license
 213 plate, \$15.

214 (d)~~(g)~~ Florida Special Olympics license plate, \$15.

215 (e)~~(h)~~ Florida educational license plate, \$20.

216 ~~(i) Florida Professional Sports Team license plate, \$25.~~

217 (f)~~(j)~~ Florida Indian River Lagoon license plate, \$15.

218 (g)~~(k)~~ Invest in Children license plate, \$20.

219 (h)~~(l)~~ Florida arts license plate, \$20.

220 ~~(m) Bethune-Cookman University license plate, \$25.~~

221 (i)~~(n)~~ Florida Agricultural license plate, \$20.

222 (j)~~(o)~~ Police Athletic League license plate, \$20.

223 (k)~~(p)~~ Boy Scouts of America license plate, \$20.

224 ~~(q) Largemouth Bass license plate, \$25.~~

225 (l)~~(r)~~ Sea Turtle license plate, \$23.

- 226 (m)~~(s)~~ Protect Wild Dolphins license plate, \$20.
- 227 ~~(t) Barry University license plate, \$25.~~
- 228 (n)~~(u)~~ Everglades River of Grass license plate, \$20.
- 229 ~~(v) Keep Kids Drug-Free license plate, \$25.~~
- 230 ~~(w) Florida Sheriffs Youth Ranches license plate, \$25.~~
- 231 ~~(x) Conserve Wildlife license plate, \$25.~~
- 232 ~~(y) Florida Memorial University license plate, \$25.~~
- 233 (o)~~(z)~~ Tampa Bay Estuary license plate, \$15.
- 234 (p)~~(aa)~~ Florida Wildflower license plate, \$15.
- 235 (q)~~(bb)~~ United States Marine Corps license plate, \$15.
- 236 (r)~~(ee)~~ Choose Life license plate, \$20.
- 237 (s)~~(dd)~~ Share the Road license plate, \$15.
- 238 ~~(ee) American Red Cross license plate, \$25.~~
- 239 ~~(ff) United We Stand license plate, \$25.~~
- 240 ~~(gg) Breast Cancer Research license plate, \$25.~~
- 241 ~~(hh) Protect Florida Whales license plate, \$25.~~
- 242 ~~(ii) Florida Golf license plate, \$25.~~
- 243 (t)~~(jj)~~ Florida Firefighters license plate, \$20.
- 244 (u)~~(kk)~~ Police Benevolent Association license plate, \$20.
- 245 (v)~~(ll)~~ Military Services license plate, \$15.
- 246 ~~(mm) Protect Our Reefs license plate, \$25.~~
- 247 (w)~~(nn)~~ Fish Florida license plate, \$22.
- 248 ~~(oo) Child Abuse Prevention and Intervention license~~
- 249 ~~plate, \$25.~~
- 250 ~~(pp) Hospice license plate, \$25.~~

251 ~~(qq) Stop Heart Disease license plate, \$25.~~

252 (x)~~(rr)~~ Save Our Seas license plate, \$25, except that for

253 an owner purchasing the specialty license plate for more than 10

254 vehicles registered to that owner, the annual use fee shall be

255 \$10 per plate.

256 (y)~~(ss)~~ Aquaculture license plate, \$25, except that for an

257 owner purchasing the specialty license plate for more than 10

258 vehicles registered to that owner, the annual use fee shall be

259 \$10 per plate.

260 ~~(tt) Family First license plate, \$25.~~

261 ~~(uu) Wildlife Foundation of Florida license plate, \$25.~~

262 ~~(vv) Live the Dream license plate, \$25.~~

263 ~~(ww) Florida Food Banks license plate, \$25.~~

264 ~~(xx) Discover Florida's Oceans license plate, \$25.~~

265 ~~(yy) Family Values license plate, \$25.~~

266 ~~(zz) Parents Make A Difference license plate, \$25.~~

267 ~~(aaa) Support Soccer license plate, \$25.~~

268 ~~(bbb) Kids Deserve Justice license plate, \$25.~~

269 ~~(ccc) Animal Friend license plate, \$25.~~

270 ~~(ddd) Future Farmers of America license plate, \$25.~~

271 ~~(eee) Donate Organs Pass It On license plate, \$25.~~

272 ~~(fff) A State of Vision license plate, \$25.~~

273 ~~(ggg) Homeownership For All license plate, \$25.~~

274 ~~(hhh) Florida NASCAR license plate, \$25.~~

275 ~~(iii) Protect Florida Springs license plate, \$25.~~

276 ~~(jjj) Trees Are Cool license plate, \$25.~~
 277 ~~(kkk) Support Our Troops license plate, \$25.~~
 278 ~~(lll) Florida Tennis license plate, \$25.~~
 279 ~~(mmm) Lighthouse Association license plate, \$25.~~
 280 ~~(nnn) In God We Trust license plate, \$25.~~
 281 ~~(ooo) Horse Country license plate, \$25.~~
 282 ~~(ppp) Autism license plate, \$25.~~
 283 ~~(qqq) St. Johns River license plate, \$25.~~
 284 ~~(rrr) Hispanic Achievers license plate, \$25.~~
 285 ~~(sss) Endless Summer license plate, \$25.~~
 286 ~~(ttt) Fraternal Order of Police license plate, \$25.~~
 287 ~~(uuu) Protect Our Oceans license plate, \$25.~~
 288 ~~(vvv) Florida Horse Park license plate, \$25.~~
 289 ~~(www) Florida Biodiversity Foundation license plate, \$25.~~
 290 ~~(xxx) Freemasonry license plate, \$25.~~
 291 ~~(yyy) American Legion license plate, \$25.~~
 292 ~~(zzz) Lauren's Kids license plate, \$25.~~
 293 ~~(aaaa) Big Brothers Big Sisters license plate, \$25.~~
 294 ~~(bbbb) Fallen Law Enforcement Officers license plate, \$25.~~
 295 ~~(cccc) Florida Sheriffs Association license plate, \$25.~~
 296 ~~(dddd) Keiser University license plate, \$25.~~
 297 ~~(eeee) Moffitt Cancer Center license plate, \$25.~~
 298 (8)
 299 (c) A vehicle owner or lessee issued a specialty license
 300 plate that has been discontinued by the department may keep the

301 discontinued specialty license plate for the remainder of the
302 10-year license plate replacement period and must pay all other
303 applicable registration fees. However, such owner or lessee is
304 exempt from paying the applicable specialty license plate annual
305 use fee under subsection (4) for the remainder of the 10-year
306 license plate replacement period.

307 (d) If the department discontinues issuance of a specialty
308 license plate, all annual use fees held or collected by the
309 department shall be distributed within 180 days after the date
310 the specialty license plate is discontinued. Of those fees, the
311 department shall retain an amount sufficient to defray the
312 applicable administrative and inventory closeout costs
313 associated with discontinuance of the plate. All remaining
314 proceeds shall be distributed to the appropriate organization or
315 organizations pursuant to s. 320.08058.

316 (e) If an organization that is the intended recipient of
317 the funds pursuant to s. 320.08058 no longer exists, the
318 department shall deposit any undisbursed proceeds into the
319 Highway Safety Operating Trust Fund.

320 (f) Notwithstanding paragraph (a), on January 1 of each
321 year, the department shall discontinue the specialty license
322 plate with the fewest number of plates in circulation, including
323 license plates exempt from a statutory sales requirement. The
324 department shall mail a warning letter to the sponsoring
325 organizations of the 10 percent of specialty license plates with

326 the lowest number of valid, active registrations as of December
327 1 of each year.

328 (10) (a) A specialty license plate annual use fee collected
329 and distributed under this chapter, or any interest earned from
330 those fees, may not be used for commercial or for-profit
331 activities nor for general or administrative expenses, except as
332 authorized by s. 320.08058 or to pay the cost of the audit or
333 report required by s. 320.08062(1). The fees and any interest
334 earned from the fees may be expended only for use in this state
335 unless the annual use fee is derived from the sale of United
336 States Armed Forces and veterans-related specialty license
337 plates pursuant to paragraph (3) (d) for the Support Our Troops
338 and American Legion license plates; paragraphs (4) (b), (q), and
339 (v) for the Florida Salutes Veterans, United States Marine
340 Corps, and Military Services license plates, respectively;
341 paragraphs (4) (z), (aa), and (bb) for out-of-state college or
342 university license plates; ~~paragraphs (4) (d), (bb), (ll), (kkk),~~
343 and ~~(yyy)~~ and s. 320.0891 for the U.S. Paratrooper license
344 plate.

345 (11) The annual use fee from the sale of specialty license
346 plates, the interest earned from those fees, or any fees
347 received by any entity ~~an agency~~ as a result of the sale of
348 specialty license plates may not be used for the purpose of
349 marketing to, or lobbying, entertaining, or rewarding, an
350 employee of a governmental agency that is responsible for the

351 sale and distribution of specialty license plates, or an elected
352 member or employee of the Legislature.

353 (12) For out-of-state college or university license plates
354 created pursuant to this section, the recipient organization
355 shall:

356 (a) Have established an endowment, based in this state,
357 for the purpose of providing scholarships to Florida residents
358 meeting the statutory requirements for that license plate.

359 (b) Provide documentation acceptable to the department
360 that the organization and the department have the college's or
361 university's consent to use an appropriate image on a license
362 plate.

363 Section 6. Effective July 1, 2023, paragraph (a) of
364 subsection (8) of section 320.08056, Florida Statutes, is
365 amended to read:

366 320.08056 Specialty license plates.—

367 (8) (a) The department must discontinue the issuance of an
368 approved specialty license plate if the number of valid
369 specialty plate registrations falls below 3,000, or in the case
370 of an out-of-state college or university license plate, 4,000,
371 ~~1,000 plates~~ for at least 12 consecutive months. The department
372 shall mail a warning letter ~~shall be mailed~~ to the sponsoring
373 organization following the first month in which the total number
374 of valid specialty plate registrations is below 3,000, or in the
375 case of an out-of-state college or university license plate,

376 4,000, ~~1,000~~ plates. This paragraph does not apply to in-state
377 collegiate license plates established under s. 320.08058(3),
378 license plates of institutions in and entities of the State
379 University System, specialty license plates that have statutory
380 eligibility limitations for purchase, specialty license plates
381 for which annual use fees are distributed by a foundation for
382 student and teacher leadership programs and teacher recruitment
383 and retention, or Florida Professional Sports Team license
384 plates established under s. 320.08058(9).

385 Section 7. Subsections (32) through (56), (58) through
386 (68), and (71) through (84) of section 320.08058, Florida
387 Statutes, are renumbered as subsections (31) through (55), (56)
388 through (66), and (67) through (80), respectively, paragraph (a)
389 of subsection (7), present subsection (31), paragraph (b) of
390 present subsection (35), present subsections (48), (57), (66),
391 (69), and (70), and paragraph (b) of present subsection (80) are
392 amended, and new subsections (81) through (99) are added to that
393 section, to read:

394 320.08058 Specialty license plates.—

395 (7) SPECIAL OLYMPICS FLORIDA LICENSE PLATES.—

396 (a) Special Olympics Florida license plates must contain
397 the official Special Olympics Florida logo and must bear the
398 colors and a design ~~and colors that are~~ approved by the
399 department. The word "Florida" must be centered at the top
400 ~~bottom~~ of the plate, and the words "Be a Fan" ~~"Everyone Wins"~~

HB 1135

2020

401 must be centered at the bottom ~~top~~ of the plate.

402 ~~(31) AMERICAN RED CROSS LICENSE PLATES.—~~

403 ~~(a) Notwithstanding the provisions of s. 320.08053, the~~
404 ~~department shall develop an American Red Cross license plate as~~
405 ~~provided in this section. The word "Florida" must appear at the~~
406 ~~top of the plate, and the words "American Red Cross" must appear~~
407 ~~at the bottom of the plate.~~

408 ~~(b) The department shall retain all revenues from the sale~~
409 ~~of such plates until all startup costs for developing and~~
410 ~~issuing the plates have been recovered. Thereafter, 50 percent~~
411 ~~of the annual use fees shall be distributed to the American Red~~
412 ~~Cross Chapter of Central Florida, with statistics on sales of~~
413 ~~license plates, which are tabulated by county. The American Red~~
414 ~~Cross Chapter of Central Florida must distribute to each of the~~
415 ~~chapters in this state the moneys received from sales in the~~
416 ~~counties covered by the respective chapters, which moneys must~~
417 ~~be used for education and disaster relief in Florida. Fifty~~
418 ~~percent of the annual use fees shall be distributed~~
419 ~~proportionately to the three statewide approved poison control~~
420 ~~centers for purposes of combating bioterrorism and other poison-~~
421 ~~related purposes.~~

422 (34) ~~(35)~~ FLORIDA GOLF LICENSE PLATES.—

423 (b) The department shall distribute the Florida Golf
424 license plate annual use fee to the Dade Amateur Golf
425 Association, a nonprofit organization under s. 501(c)(3) of the

426 Internal Revenue Code. The license plate annual use fees are to
 427 be annually allocated as follows:

428 1. Up to 15 percent of the proceeds from the annual use
 429 fees may be used by the Dade Amateur Golf Association for the
 430 administration of the Florida Junior Golf Program.

431 2. The Dade Amateur Golf Association shall receive the
 432 first \$80,000 in proceeds from the annual use fees for the
 433 operation of youth golf programs in Miami-Dade County.
 434 Thereafter, 30 ~~15~~ percent of the proceeds from the annual use
 435 fees shall be provided to the Dade Amateur Golf Association for
 436 the operation of youth golf programs in Miami-Dade County,
 437 including expenditures necessary to comply with the Americans
 438 with Disabilities Act.

439 3. The remaining proceeds from the annual use fees shall
 440 be available for grants to nonprofit organizations to operate
 441 youth golf programs and for marketing the Florida Golf license
 442 plates. All grant recipients shall be required to provide to the
 443 Dade Amateur Golf Association an annual program and financial
 444 report regarding the use of grant funds. Such reports shall be
 445 made available to the public.

446 ~~(47)-(48)~~ LIVE THE DREAM LICENSE PLATES.—

447 (a) The department shall develop a Live the Dream license
 448 plate as provided in this section. Live the Dream license plates
 449 must bear the colors and design approved by the department. The
 450 word "Florida" must appear at the top of the plate, and the

451 words "Live the Dream" must appear at the bottom of the plate.

452 (b) The proceeds of the annual use fee shall be
453 distributed to the Dream Foundation, Inc., to ~~The Dream~~
454 ~~Foundation, Inc., shall retain the first \$60,000 in proceeds~~
455 ~~from the annual use fees as reimbursement for administrative~~
456 ~~costs, startup costs, and costs incurred in the approval~~
457 ~~process. Thereafter, up to 25 percent shall be used for~~
458 ~~continuing promotion and marketing of the license plate and~~
459 ~~concept. The remaining funds shall be used in the following~~
460 manner:

461 1. Up to 5 percent may be used to administer, promote, and
462 market the license plate.

463 ~~2.1. At least 60~~ Twenty-five percent shall be distributed
464 equally among the sickle cell organizations that are Florida
465 members of the Sickle Cell Disease Association of America, Inc.,
466 for programs that provide research, care, and treatment for
467 sickle cell disease.

468 ~~2. Twenty-five percent shall be distributed to the Florida~~
469 ~~chapter of the March of Dimes for programs and services that~~
470 ~~improve the health of babies through the prevention of birth~~
471 ~~defects and infant mortality.~~

472 ~~3. Ten percent shall be distributed to the Florida~~
473 ~~Association of Healthy Start Coalitions to decrease racial~~
474 ~~disparity in infant mortality and to increase healthy birth~~
475 ~~outcomes. Funding will be used by local Healthy Start Coalitions~~

476 ~~to provide services and increase screening rates for high-risk~~
477 ~~pregnant women, children under 4 years of age, and women of~~
478 ~~childbearing age.~~

479 3.4. At least 30 ~~Ten~~ percent shall be distributed to
480 Chapman the Community Partnership for Homeless, Inc., for
481 programs that provide relief from poverty, hunger, and
482 homelessness.

483 4. Up to 5 percent may be distributed by the department on
484 behalf of The Dream Foundation, Inc., to The Martin Luther King,
485 Jr. Center for Nonviolent Social Change, Inc., as a royalty for
486 the use of the image of Dr. Martin Luther King, Jr.

487 ~~5. Five percent of the proceeds shall be used by the~~
488 ~~foundation for administrative costs directly associated with~~
489 ~~operations as they relate to the management and distribution of~~
490 ~~the proceeds.~~

491 ~~(57) DONATE ORGANS-PASS IT ON LICENSE PLATES.~~

492 ~~(a) The department shall develop a Donate Organs-Pass It~~
493 ~~On license plate as provided in this section. The word "Florida"~~
494 ~~must appear at the top of the plate, and the words "Donate~~
495 ~~Organs-Pass It On" must appear at the bottom of the plate.~~

496 ~~(b) The annual use fees shall be distributed to Transplant~~
497 ~~Foundation, Inc., and shall use up to 10 percent of the proceeds~~
498 ~~from the annual use fee for marketing and administrative costs~~
499 ~~that are directly associated with the management and~~
500 ~~distribution of the proceeds. The remaining proceeds shall be~~

501 ~~used to provide statewide grants for patient services, including~~
502 ~~preoperative, rehabilitative, and housing assistance; organ~~
503 ~~donor education and awareness programs; and statewide medical~~
504 ~~research.~~

505 (64)~~(66)~~ IN GOD WE TRUST LICENSE PLATES.—

506 (a) The department shall develop an In God We Trust
507 license plate as provided in this section. However, the
508 requirements of s. 320.08053 must be met before the plates are
509 issued. In God We Trust license plates must bear the colors and
510 design approved by the department. The word "Florida" must
511 appear at the top of the plate, and the words "In God We Trust"
512 must appear in the body of the plate.

513 (b) The license plate annual use fees shall be distributed
514 to the In God We Trust Foundation, Inc., which may use up to 10
515 percent of the proceeds to offset marketing, administration, and
516 promotion, and the remainder of the proceeds to address the
517 needs of the military community and the public safety community;
518 provide educational grants and scholarships to foster self-
519 reliance and stability in Florida's children; and provide
520 education in ~~to fund educational scholarships for the children~~
521 ~~of Florida residents who are members of the United States Armed~~
522 ~~Forces, the National Guard, and the United States Armed Forces~~
523 ~~Reserve and for the children of public safety employees who have~~
524 ~~died in the line of duty who are not covered by existing state~~
525 ~~law. Funds shall also be distributed to other s. 501(c)(3)~~

526 ~~organizations that may apply for grants and scholarships and to~~
527 ~~provide educational grants to public and private schools~~
528 regarding ~~to promote~~ the historical and religious significance
529 of religion in American and Florida history. ~~The In God We Trust~~
530 ~~Foundation, Inc., shall distribute the license plate annual use~~
531 ~~fees in the following manner:~~

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

535 2. ~~Ten percent of the funds received by the In God We~~
536 ~~Trust Foundation, Inc., shall be expended for administrative~~
537 ~~costs, promotion, and marketing of the license plate directly~~
538 ~~associated with the operations of the In God We Trust~~
539 ~~Foundation, Inc.~~

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

542 ~~(69) ST. JOHNS RIVER LICENSE PLATES.—~~

543 ~~(a) The department shall develop a St. Johns River license~~
544 ~~plate as provided in this section. The St. Johns River license~~
545 ~~plates must bear the colors and design approved by the~~
546 ~~department. The word "Florida" must appear at the top of the~~
547 ~~plate, and the words "St. Johns River" must appear at the bottom~~
548 ~~of the plate.~~

549 ~~(b) The requirements of s. 320.08053 must be met prior to~~
550 ~~the issuance of the plate. Thereafter, the license plate annual~~

551 ~~use fees shall be distributed to the St. Johns River Alliance,~~
552 ~~Inc., a s. 501(c)(3) nonprofit organization, which shall~~
553 ~~administer the fees as follows:~~

554 ~~1. The St. Johns River Alliance, Inc., shall retain the~~
555 ~~first \$60,000 of the annual use fees as direct reimbursement for~~
556 ~~administrative costs, startup costs, and costs incurred in the~~
557 ~~development and approval process. Thereafter, up to 10 percent~~
558 ~~of the annual use fee revenue may be used for administrative~~
559 ~~costs directly associated with education programs, conservation,~~
560 ~~research, and grant administration of the organization, and up~~
561 ~~to 10 percent may be used for promotion and marketing of the~~
562 ~~specialty license plate.~~

563 ~~2. At least 30 percent of the fees shall be available for~~
564 ~~competitive grants for targeted community-based or county-based~~
565 ~~research or projects for which state funding is limited or not~~
566 ~~currently available. The remaining 50 percent shall be directed~~
567 ~~toward community outreach and access programs. The competitive~~
568 ~~grants shall be administered and approved by the board of~~
569 ~~directors of the St. Johns River Alliance, Inc. A grant advisory~~
570 ~~committee shall be composed of six members chosen by the St.~~
571 ~~Johns River Alliance board members.~~

572 ~~3. Any remaining funds shall be distributed with the~~
573 ~~approval of and accountability to the board of directors of the~~
574 ~~St. Johns River Alliance, Inc., and shall be used to support~~
575 ~~activities contributing to education, outreach, and springs~~

576 | ~~conservation.~~

577 | ~~(70) HISPANIC ACHIEVERS LICENSE PLATES.~~

578 | ~~(a) Notwithstanding the requirements of s. 320.08053, the~~
579 | ~~department shall develop a Hispanic Achievers license plate as~~
580 | ~~provided in this section. The plate must bear the colors and~~
581 | ~~design approved by the department. The word "Florida" must~~
582 | ~~appear at the top of the plate, and the words "Hispanic~~
583 | ~~Achievers" must appear at the bottom of the plate.~~

584 | ~~(b) The proceeds from the license plate annual use fee~~
585 | ~~shall be distributed to National Hispanic Corporate Achievers,~~
586 | ~~Inc., a nonprofit corporation under s. 501(c)(3) of the Internal~~
587 | ~~Revenue Code, to fund grants to nonprofit organizations to~~
588 | ~~operate programs and provide scholarships and for marketing the~~
589 | ~~Hispanic Achievers license plate. National Hispanic Corporate~~
590 | ~~Achievers, Inc., shall establish a Hispanic Achievers Grant~~
591 | ~~Council that shall provide recommendations for statewide grants~~
592 | ~~from available Hispanic Achievers license plate proceeds to~~
593 | ~~nonprofit organizations for programs and scholarships for~~
594 | ~~Hispanic and minority Floridians. National Hispanic Corporate~~
595 | ~~Achievers, Inc., shall also establish a Hispanic Achievers~~
596 | ~~License Plate Fund. Moneys in the fund shall be used by the~~
597 | ~~grant council as provided in this paragraph. All funds received~~
598 | ~~under this subsection must be used in this state.~~

599 | ~~(c) National Hispanic Corporate Achievers, Inc., may~~
600 | ~~retain all proceeds from the annual use fee until documented~~

601 ~~startup costs for developing and establishing the plate have~~
602 ~~been recovered. Thereafter, the proceeds from the annual use fee~~
603 ~~shall be used as follows:~~

604 ~~1. Up to 5 percent of the proceeds may be used for the~~
605 ~~cost of administration of the Hispanic Achievers License Plate~~
606 ~~Fund, the Hispanic Achievers Grant Council, and related matters.~~

607 ~~2. Funds may be used as necessary for annual audit or~~
608 ~~compliance affidavit costs.~~

609 ~~3. Up to 20 percent of the proceeds may be used to market~~
610 ~~and promote the Hispanic Achievers license plate.~~

611 ~~4. Twenty five percent of the proceeds shall be used by~~
612 ~~the Hispanic Corporate Achievers, Inc., located in Seminole~~
613 ~~County, for grants.~~

614 ~~5. The remaining proceeds shall be available to the~~
615 ~~Hispanic Achievers Grant Council to award grants for services,~~
616 ~~programs, or scholarships for Hispanic and minority individuals~~
617 ~~and organizations throughout Florida. All grant recipients must~~
618 ~~provide to the Hispanic Achievers Grant Council an annual~~
619 ~~program and financial report regarding the use of grant funds.~~
620 ~~Such reports must be available to the public.~~

621 ~~(d) Effective July 1, 2014, the Hispanic Achievers license~~
622 ~~plate will shift into the presale voucher phase, as provided in~~
623 ~~s. 320.08053(2)(b). National Hispanic Corporate Achievers, Inc.,~~
624 ~~shall have 24 months to record a minimum of 1,000 sales. Sales~~
625 ~~include existing active plates and vouchers sold subsequent to~~

626 ~~July 1, 2014. During the voucher period, new plates may not be~~
627 ~~issued, but existing plates may be renewed. If, at the~~
628 ~~conclusion of the 24-month presale period, the requirement of a~~
629 ~~minimum of 1,000 sales has been met, the department shall resume~~
630 ~~normal distribution of the Hispanic Achievers license plate. If,~~
631 ~~after 24 months, the minimum of 1,000 sales has not been met,~~
632 ~~the department shall discontinue the Hispanic Achievers license~~
633 ~~plate. This subsection is repealed June 30, 2016.~~

634 ~~(76)-(80)~~ FALLEN LAW ENFORCEMENT OFFICERS LICENSE PLATES.-

635 (b) The annual use fees shall be distributed to the Police
636 and Kids Foundation, Inc., which may use up to a maximum of 10
637 percent of the proceeds for marketing ~~to promote and market~~ the
638 plate. All remaining ~~The remainder of the~~ proceeds shall be
639 distributed to and used by the Police and Kids Foundation, Inc.,
640 for its operations, activities, programs, and projects ~~to invest~~
641 ~~and reinvest, and the interest earnings shall be used for the~~
642 ~~operation of the Police and Kids Foundation, Inc.~~

643 (81) BEAT CHILDHOOD CANCER LICENSE PLATES.-

644 (a) The department shall develop a Beat Childhood Cancer
645 license plate as provided in this section and s. 320.08053. The
646 plate must bear the colors and design approved by the
647 department. The word "Florida" must appear at the top of the
648 plate, and the words "Beat Childhood Cancer" must appear at the
649 bottom of the plate.

650 (b) The annual use fees from the sale of the plate shall

651 be distributed as follows:

652 1. Seventy-five percent of the proceeds shall be
653 distributed to Beat Nb, Inc., which may use up to 10 percent of
654 its proceeds for administrative costs directly associated with
655 the operation of the corporation and for marketing and promoting
656 the plate. All remaining proceeds shall be used by the
657 corporation to fund pediatric cancer treatment and research.

658 2. Twenty-five percent of the proceeds shall be
659 distributed to the Ryan Callahan Foundation, Inc., a nonprofit
660 corporation under s. 501(c)(3) of the Internal Revenue Code. Its
661 proceeds shall be used by the corporation to fund pediatric
662 cancer treatment and research.

663 (82) AUBURN UNIVERSITY LICENSE PLATES.—

664 (a) The department shall develop an Auburn University
665 license plate as provided in this section and s. 320.08053. The
666 plate must bear the colors and design approved by the
667 department. The word "Florida" must appear at the top of the
668 plate, and the words "War Eagle" must appear at the bottom of
669 the plate.

670 (b) The annual use fees from the sale of the plate shall
671 be distributed to the Tampa Bay Auburn Club, which must use the
672 proceeds for the purpose of awarding scholarships to Florida
673 residents attending Auburn University. Students receiving these
674 scholarships must be eligible for the Florida Bright Futures
675 Scholarship Program pursuant to s. 1009.531 and shall use the

HB 1135

2020

676 scholarship funds for tuition and other expenses related to
677 attending Auburn University.

678 (83) DUCKS UNLIMITED LICENSE PLATES.-

679 (a) The department shall develop a Ducks Unlimited license
680 plate as provided in this section and s. 320.08053. The plate
681 must bear the colors and design approved by the department. The
682 word "Florida" must appear at the top of the plate, and the
683 words "Conserving Florida Wetlands" must appear at the bottom of
684 the plate.

685 (b) The annual use fees from the sale of the plate shall
686 be distributed to Ducks Unlimited, Inc., a nonprofit corporation
687 under s. 501(c)(3) of the Internal Revenue Code, to be used as
688 follows:

689 1. Up to 5 percent of the proceeds may be used for
690 administrative costs and marketing of the plate.

691 2. At least 95 percent of the proceeds shall be used in
692 this state to support the mission and efforts of Ducks
693 Unlimited, Inc., to conserve, restore, and manage Florida
694 wetlands and associated habitats for the benefit of waterfowl,
695 other wildlife, and people.

696 (84) DONATE LIFE FLORIDA LICENSE PLATES.-

697 (a) The department shall develop a Donate Life Florida
698 license plate as provided in this section and s. 320.08053. The
699 plate must bear the colors and design approved by the
700 department. The word "Florida" must appear at the top of the

701 plate, and the words "Donors Save Lives" must appear at the
702 bottom of the plate.

703 (b) The annual use fees from the sale of the plate shall
704 be distributed to Donate Life Florida, which may use up to 10
705 percent of the proceeds for marketing and administrative costs.
706 All remaining proceeds from the annual use fees shall be used by
707 Donate Life Florida to educate Florida residents on the
708 importance of organ, tissue, and eye donation and for the
709 continued maintenance of the Joshua Abbott Organ and Tissue
710 Donor Registry.

711 (85) FLORIDA STATE BEEKEEPERS ASSOCIATION LICENSE PLATES.—

712 (a) The department shall develop a Florida State
713 Beekeepers Association license plate as provided in this section
714 and s. 320.08053. The plate must bear the colors and design
715 approved by the department. The word "Florida" must appear at
716 the top of the plate, and the words "Save the Bees" must appear
717 at the bottom of the plate.

718 (b) The annual use fees shall be distributed to the
719 Florida State Beekeepers Association, a Florida nonprofit
720 corporation. The Florida State Beekeepers Association may use up
721 to 10 percent of the proceeds for administrative, promotional,
722 and marketing costs of the license plate.

723 (c) All remaining proceeds shall be distributed to the
724 Florida State Beekeepers Association and shall be used to raise
725 awareness of the importance of beekeeping to Florida agriculture

726 by funding honeybee research, education, outreach, and
 727 husbandry. The Florida State Beekeepers Association board of
 728 managers must approve and is accountable for all such
 729 expenditures.

730 (86) ROTARY LICENSE PLATES.—

731 (a) The department shall develop a Rotary license plate as
 732 provided in this section and s. 320.08053. The plate must bear
 733 the colors and design approved by the department. The word
 734 "Florida" must appear at the top of the plate, and the word
 735 "Rotary" must appear on the bottom of the plate. The license
 736 plate must bear the Rotary International wheel emblem.

737 (b) The annual use fees shall be distributed to the
 738 Community Foundation of Tampa Bay, Inc., to be used as follows:

739 1. Up to 10 percent of the proceeds may be used for
 740 administrative costs and for marketing of the plate.

741 2. Ten percent of the proceeds shall be distributed to
 742 Rotary's Camp Florida for direct support to all programs and
 743 services provided to children with special needs who attend the
 744 camp.

745 3. All remaining proceeds shall be distributed,
 746 proportionally based on sales, to each Rotary district in the
 747 state in support of Rotary youth programs in Florida.

748 (87) FLORIDA BAY FOREVER LICENSE PLATES.—

749 (a) The department shall develop a Florida Bay Forever
 750 license plate as provided in this section and s. 320.08053. The

751 plate must bear the colors and design approved by the
752 department. The word "Florida" must appear at the top of the
753 plate, and the words "Florida Bay Forever" must appear at the
754 bottom of the plate.

755 (b) The annual use fees from the sale of the plate shall
756 be distributed to the Florida National Park Association, Inc.,
757 which may use up to 10 percent of the proceeds for
758 administrative costs and marketing of the plate. All remaining
759 proceeds shall be used to supplement the Everglades National
760 Park's budgets and to support educational, interpretive,
761 historical, and scientific research relating to the Everglades
762 National Park.

763 (88) BONEFISH AND TARPON TRUST LICENSE PLATES.-

764 (a) The department shall develop a Bonefish and Tarpon
765 Trust license plate as provided in this section and s.
766 320.08053. The plate must bear the colors and design approved by
767 the department. The word "Florida" must appear at the top of the
768 plate, and the words "Bonefish and Tarpon Trust" must appear at
769 the bottom of the plate.

770 (b) The annual use fees from the sale of the plate shall
771 be distributed to the Bonefish and Tarpon Trust, which may use
772 up to 10 percent of the proceeds to promote and market the
773 license plate. All remaining proceeds shall be used to conserve
774 and enhance Florida bonefish and tarpon fisheries and their
775 respective environments through stewardship, research,

776 education, and advocacy.

777 (89) MEDICAL PROFESSIONALS WHO CARE LICENSE PLATES.—

778 (a) The department shall develop a Medical Professionals
779 Who Care license plate as provided in this section and s.
780 320.08053. The plate must bear the colors and design approved by
781 the department. The word "Florida" must appear at the top of the
782 plate, and the words "Medical Professionals Who Care" must
783 appear at the bottom of the plate.

784 (b) The annual use fees from the sale of the plate shall
785 be distributed to Florida Benevolent Group, Inc., a Florida
786 nonprofit corporation, which may use up to 10 percent of the
787 proceeds for administrative costs, marketing, and promotion of
788 the plate. All remaining proceeds shall be used by Florida
789 Benevolent Group, Inc., to assist low-income individuals in
790 obtaining a medical education and career through scholarships,
791 support, and guidance.

792 (90) UNIVERSITY OF GEORGIA LICENSE PLATES.—

793 (a) The department shall develop a University of Georgia
794 license plate as provided in this section and s. 320.08053. The
795 plate must bear the colors and design approved by the
796 department. The word "Florida" must appear at the top of the
797 plate, and the words "The University of Georgia" must appear at
798 the bottom of the plate.

799 (b) The annual use fees from the sale of the plate shall
800 be distributed to the Georgia Bulldog Club of Jacksonville,

801 which must use the proceeds for the purpose of awarding
802 scholarships to Florida residents attending the University of
803 Georgia. Students receiving these scholarships must be eligible
804 for the Florida Bright Futures Scholarship Program pursuant to
805 s. 1009.531 and shall use the scholarship funds for tuition and
806 other expenses related to attending the University of Georgia.

807 (91) HIGHWAYMEN LICENSE PLATES.—

808 (a) The department shall develop a Highwaymen license
809 plate as provided in this section and s. 320.08053. The plate
810 must bear the colors and design approved by the department. The
811 word "Florida" must appear at the top of the plate, and the word
812 "Highwaymen" must appear at the bottom of the plate.

813 (b) The annual use fees shall be distributed to the City
814 of Fort Pierce, subject to a city resolution designating the
815 city as the fiscal agent of the license plate. The city may use
816 up to 10 percent of the proceeds for administrative costs and
817 marketing of the plate and shall use the remainder of the
818 proceeds as follows:

819 1. Before completion of construction of the Highwaymen
820 Museum and African-American Cultural Center, the city shall
821 distribute at least 15 percent of the proceeds to the St. Lucie
822 Education Foundation, Inc., to fund art education and art
823 projects in public schools within St. Lucie County. All
824 remaining proceeds shall be used by the city to fund the
825 construction of the Highwaymen Museum and African-American

826 Cultural Center.

827 2. Upon completion of construction of the Highwaymen
 828 Museum and African-American Cultural Center, the city shall
 829 distribute at least 10 percent of the proceeds to the St. Lucie
 830 Education Foundation, Inc., to fund art education and art
 831 projects in public schools within St. Lucie County. All
 832 remaining proceeds shall be used by the city to fund the day-to-
 833 day operations of the Highwaymen Museum and African-American
 834 Cultural Center.

835 (92) DAN MARINO CAMPUS LICENSE PLATES.—

836 (a) The department shall develop a Dan Marino Campus
 837 license plate as provided in this section and s. 320.08053. The
 838 plate must bear the colors and design approved by the
 839 department. The word "Florida" must appear at the top of the
 840 plate, and the words "Marino Campus" must appear at the bottom
 841 of the plate.

842 (b) The annual use fees from the sale of the plate shall
 843 be distributed to the Dan Marino Foundation, a Florida nonprofit
 844 corporation, which may use up to 10 percent of the proceeds for
 845 administrative costs and marketing of the plate. All remaining
 846 proceeds shall be used by the Dan Marino Foundation to assist
 847 Floridians with developmental disabilities in becoming employed,
 848 independent, and productive and to promote and fund education
 849 scholarships and awareness of these services.

850 (93) ORLANDO CITY SOCCER CLUB LICENSE PLATES.—

851 (a) The department shall develop an Orlando City Soccer
 852 Club license plate as provided in paragraph (9) (a).

853 (b) The annual use fees from the sale of the plate shall
 854 be distributed and used as provided in paragraph (9) (b).

855 (94) COASTAL CONSERVATION ASSOCIATION LICENSE PLATES.—

856 (a) The department shall develop a Coastal Conservation
 857 Association license plate as provided in this section and s.
 858 320.08053. The plate must bear the colors and design approved by
 859 the department. The word "Florida" must appear at the top of the
 860 plate, and the words "Conserve Florida's Fisheries" must appear
 861 at the bottom of the plate.

862 (b) The annual use fees from the sale of the plate shall
 863 be distributed to Coastal Conservation Association Florida, a
 864 nonprofit corporation under s. 501(c) (3) of the Internal Revenue
 865 Code, to be used as follows:

866 1. Up to 10 percent of the proceeds may be used for
 867 administrative costs.

868 2. Up to 10 percent of the proceeds may be used to promote
 869 and market the plate.

870 3. All remaining proceeds shall be used to support the
 871 mission and efforts of Coastal Conservation Association Florida
 872 for habitat enhancement and restoration, saltwater fisheries
 873 conservation, and education; to advise the public on the
 874 conservation of marine resources; and to promote and enhance the
 875 present and future availability of those coastal resources for

876 | the benefit and enjoyment of the general public.

877 | (95) DAUGHTERS OF THE AMERICAN REVOLUTION LICENSE PLATES.—

878 | (a) The department shall develop a Daughters of the
 879 | American Revolution license plate as provided in this section
 880 | and s. 320.08053. The plate must bear the colors and design
 881 | approved by the department. The word "Florida" must appear at
 882 | the top of the plate, and the words "Daughters of the American
 883 | Revolution" must appear at the bottom of the plate.

884 | (b) The annual use fees from the sale of the plate shall
 885 | be distributed to the Daughters of the American Revolution, a
 886 | nonprofit organization under s. 501(c)(3) of the Internal
 887 | Revenue Code. Up to 10 percent of the proceeds may be used for
 888 | the promotion and marketing of the plate. The remainder of the
 889 | proceeds shall be used within this state by the Daughters of the
 890 | American Revolution, a nonpolitical volunteer women's service
 891 | organization, to promote patriotism, preserve American history,
 892 | and secure America's future through educational programs for
 893 | local public and private K-12 students and scholarships and
 894 | other educational funding for underprivileged children.

895 | (96) GADSDEN FLAG LICENSE PLATES.—

896 | (a) The department shall develop a Gadsden Flag license
 897 | plate as provided in this section and s. 320.08053. The design
 898 | of the license plate must replicate the color, layout, and
 899 | design of the Gadsden Flag. The word "Florida" must appear at
 900 | the top of the plate, and the words "Don't Tread on Me" must

901 appear at the bottom of the plate.

902 (b) The annual use fees shall be distributed to the
903 Florida Veterans Foundation, a direct-support organization of
904 the Department of Veterans' Affairs, and must be used to benefit
905 veterans. Up to 10 percent of the proceeds may be used for
906 continuing promotion and marketing of the license plate.

907 (97) AMERICA THE BEAUTIFUL LICENSE PLATES.—

908 (a) The department shall develop an America the Beautiful
909 license plate as provided in this section and s. 320.08053. The
910 plate must bear the colors and design approved by the
911 department. The word "Florida" must appear at the top of the
912 plate, and the words "America the Beautiful" must appear at the
913 bottom of the plate.

914 (b) The annual use fees from the plate must be distributed
915 to the America the Beautiful Fund as follows: 10 percent to
916 offset administrative costs, marketing, and promotion of the
917 plate and 90 percent for projects and programs teaching
918 character, leadership, and service to Florida youth; the
919 provision of supportive services and assistance to members of
920 the military community; outdoor education advancing the ideal of
921 self-sufficiency; wildlife conservation, including imperiled and
922 managed species; the maintenance of historic or culturally
923 important sites, buildings, structures, or objects; and the
924 development and modification of playgrounds, recreational areas,
925 or other outdoor amenities, including disability access.

926 (98) TREAD LIGHTLY OFF ROAD FLORIDA LICENSE PLATES.—

927 (a) The department shall develop a Tread Lightly Off Road
 928 Florida license plate as provided in this section and s.
 929 320.08053. The plate must bear the colors and design approved by
 930 the department. The word "Florida" must appear at the top of the
 931 plate, and the words "Tread Lightly" must appear at the bottom
 932 of the plate.

933 (b) The annual use fees from the sale of the plate shall
 934 be distributed to the Florida Off Road Foundation, Inc., a
 935 nonprofit corporation under s. 501(c)(3) of the Internal Revenue
 936 Code. Up to 10 percent of the funds may be used for marketing of
 937 the plate, costs directly associated with creation of the plate,
 938 and administrative costs related to distribution of proceeds,
 939 including annual audit services and compliance affidavit costs.
 940 The remainder of the funds shall be used by the Florida Off Road
 941 Foundation, Inc., to fund qualified nonprofit organizations that
 942 protect and preserve Florida's natural off-road habitat; educate
 943 Floridians about responsible use of the off-road environment;
 944 support civilian volunteer programs to promote the use of off-
 945 road vehicles to assist law enforcement in situations such as
 946 search and rescue; support organized cleanups, trail
 947 maintenance, and restoration; or preserve Florida's off-road
 948 culture.

949 (99) UNIVERSITY OF ALABAMA LICENSE PLATES.—

950 (a) The department shall develop a University of Alabama

951 license plate as provided in this section and s. 320.08053. The
952 plate must bear the colors and design approved by the
953 department. The word "Florida" must appear at the top of the
954 plate, and the words "Roll Tide" must appear at the bottom of
955 the plate.

956 (b) The annual use fees from the sale of the plate shall
957 be distributed to the Pensacola Bama Club, which must use the
958 proceeds for the purpose of awarding scholarships to Florida
959 residents attending the University of Alabama. The proceeds must
960 be deposited in the endowment required in s. 320.08056(12).
961 Students receiving these scholarships must be eligible for the
962 Florida Bright Futures Scholarship Program pursuant to s.
963 1009.531 and shall use the scholarship funds for tuition and
964 other expenses related to attending the University of Alabama.

965 Section 8. Section 320.08062, Florida Statutes, is amended
966 to read:

967 320.08062 Audits and attestations required; annual use
968 fees of specialty license plates.—

969 (1) (a) All organizations that receive annual use fee
970 proceeds from the department are responsible for ensuring that
971 proceeds are used in accordance with ss. 320.08056 and
972 320.08058.

973 (b) Any organization not subject to audit pursuant to s.
974 215.97 shall annually attest, under penalties of perjury, that
975 such proceeds were used in compliance with ss. 320.08056 and

976 | 320.08058. The attestation shall be made annually in a form and
 977 | format determined by the department. In addition, the department
 978 | shall audit any such organization every 3 years to ensure
 979 | proceeds have been used in compliance with ss. 320.08056 and
 980 | 320.08058.

981 | (c) Any organization subject to audit pursuant to s.
 982 | 215.97 shall submit an audit report in accordance with rules
 983 | promulgated by the Auditor General. The annual attestation shall
 984 | be submitted to the department for review within 9 months after
 985 | the end of the organization's fiscal year.

986 | (2) (a) Within 120 days after receiving an organization's
 987 | audit or attestation, the department shall determine which
 988 | recipients of revenues from specialty license plate annual use
 989 | fees have not complied with subsection (1). In determining
 990 | compliance, the department may commission an independent
 991 | actuarial consultant, or an independent certified public
 992 | accountant, who has expertise in nonprofit and charitable
 993 | organizations.

994 | (b) The department must discontinue the distribution of
 995 | revenues to any organization failing to submit the required
 996 | documentation as required in subsection (1), but may resume
 997 | distribution of the revenues upon receipt of the required
 998 | information.

999 | (c) If the department or its designee determines that an
 1000 | organization has not complied or has failed to use the revenues

1001 in accordance with ss. 320.08056 and 320.08058, the department
1002 must discontinue the distribution of the revenues to the
1003 organization. The department shall notify the organization of
1004 its findings and direct the organization to make the changes
1005 necessary in order to comply with this chapter. If the officers
1006 of the organization sign an affidavit under penalties of perjury
1007 stating that they acknowledge the findings of the department and
1008 attest that they have taken corrective action and that the
1009 organization will submit to a followup review by the department,
1010 the department may resume the distribution of revenues.

1011 (d) If an organization fails to comply with the
1012 department's recommendations and corrective actions as outlined
1013 in paragraph (c), the revenue distributions shall be
1014 discontinued until completion of the next regular session of the
1015 Legislature. The department shall notify the President of the
1016 Senate and the Speaker of the House of Representatives by the
1017 first day of the next regular session of any organization whose
1018 revenues have been withheld as a result of this paragraph. If
1019 the Legislature does not provide direction to the organization
1020 and the department regarding the status of the undistributed
1021 revenues, the department shall deauthorize the plate and the
1022 undistributed revenues shall be immediately deposited into the
1023 Highway Safety Operating Trust Fund.

1024 (3) The department or its designee has the authority to
1025 examine all records pertaining to the use of funds from the sale

1026 | of specialty license plates.

1027 | Section 9. Paragraph (b) of subsection (4) of section
1028 | 320.08068, Florida Statutes, is amended to read:

1029 | 320.08068 Motorcycle specialty license plates.—

1030 | (4) A license plate annual use fee of \$20 shall be
1031 | collected for each motorcycle specialty license plate. Annual
1032 | use fees shall be distributed as follows:

1033 | (b) Twenty percent to Preserve Vision ~~Prevent Blindness~~
1034 | Florida.

1035 | Section 10. Subsection (8) of section 320.0807, Florida
1036 | Statutes, is renumbered as subsection (6), and present
1037 | subsections (5), (6), and (7) of that section are amended to
1038 | read:

1039 | 320.0807 Special license plates for Governor and federal
1040 | and state legislators.—

1041 | ~~(5) Upon application by any current or former President of~~
1042 | ~~the Senate and payment of the fees prescribed by s. 320.0805,~~
1043 | ~~the department may issue a license plate stamped "Senate~~
1044 | ~~President" followed by the number assigned by the department or~~
1045 | ~~chosen by the applicant if it is not already in use. Upon~~
1046 | ~~application by any current or former Speaker of the House of~~
1047 | ~~Representatives and payment of the fees prescribed by s.~~
1048 | ~~320.0805, the department may issue a license plate stamped~~
1049 | ~~"House Speaker" followed by the number assigned by the~~
1050 | ~~department or chosen by the applicant if it is not already in~~

1051 use.

1052 ~~(6)(a) Upon application by any former member of Congress~~
 1053 ~~or former member of the state Legislature, payment of the fees~~
 1054 ~~prescribed by s. 320.0805, and payment of a one-time fee of~~
 1055 ~~\$500, the department may issue a former member of Congress,~~
 1056 ~~state senator, or state representative a license plate stamped~~
 1057 ~~"Retired Congress," "Retired Senate," or "Retired House," as~~
 1058 ~~appropriate, for a vehicle owned by the former member.~~

1059 ~~(b) To qualify for a Retired Congress, Retired Senate, or~~
 1060 ~~Retired House prestige license plate, a former member must have~~
 1061 ~~served at least 4 years as a member of Congress, state senator,~~
 1062 ~~or state representative, respectively.~~

1063 ~~(c) Four hundred fifty dollars of the one-time fee~~
 1064 ~~collected under paragraph (a) shall be distributed to the~~
 1065 ~~account of the direct support organization established pursuant~~
 1066 ~~to s. 272.136 and used for the benefit of the Florida Historic~~
 1067 ~~Capitol Museum, and the remaining \$50 shall be deposited into~~
 1068 ~~the Highway Safety Operating Trust Fund.~~

1069 (5)~~(7)~~ The department may create a unique plate design for
 1070 plates to be used by members ~~or former members~~ of the
 1071 Legislature ~~or Congress~~ as provided in subsection ~~subsections~~
 1072 ~~(2), (5), and (6).~~

1073 Section 11. Section 320.0875, Florida Statutes, is created
 1074 to read:

1075 320.0875 Purple Heart special motorcycle license plate.-

1076 (1) Upon application to the department and payment of the
1077 license tax for the motorcycle as provided in s. 320.08, a
1078 resident of the state who owns or leases a motorcycle that is
1079 not used for hire or commercial use shall be issued a Purple
1080 Heart special motorcycle license plate if he or she provides
1081 documentation acceptable to the department that he or she is a
1082 recipient of the Purple Heart medal.

1083 (2) The Purple Heart special motorcycle license plate
1084 shall be stamped with the term "Combat-wounded Veteran" followed
1085 by the serial number of the license plate. The Purple Heart
1086 special motorcycle license plate may have the term "Purple
1087 Heart" stamped on the plate and the likeness of the Purple Heart
1088 medal appearing on the plate.

1089 Section 12. Paragraph (a) of subsection (1) of section
1090 320.089, Florida Statutes, is amended to read:

1091 320.089 Veterans of the United States Armed Forces;
1092 members of National Guard; survivors of Pearl Harbor; Purple
1093 Heart medal recipients; Bronze Star recipients; active or
1094 retired United States Armed Forces reservists; Combat Infantry
1095 Badge, Combat Medical Badge, or Combat Action Badge recipients;
1096 Combat Action Ribbon recipients; Air Force Combat Action Medal
1097 recipients; Distinguished Flying Cross recipients; former
1098 prisoners of war; Korean War Veterans; Vietnam War Veterans;
1099 Operation Desert Shield Veterans; Operation Desert Storm
1100 Veterans; Operation Enduring Freedom Veterans; Operation Iraqi

1101 Freedom Veterans; Women Veterans; World War II Veterans; and
 1102 Navy Submariners; special license plates; fee.—
 1103 (1) (a) Each owner or lessee of an automobile or truck for
 1104 private use or recreational vehicle as specified in s.
 1105 320.08(9)(c) or (d), which is not used for hire or commercial
 1106 use, who is a resident of the state and a veteran of the United
 1107 States Armed Forces, a Woman Veteran, a World War II Veteran, a
 1108 Navy Submariner, an active or retired member of the Florida
 1109 National Guard, a survivor of the attack on Pearl Harbor, a
 1110 recipient of the Purple Heart medal, a recipient of the Bronze
 1111 Star, an active or retired member of any branch of the United
 1112 States Armed Forces Reserve, or a recipient of the Combat
 1113 Infantry Badge, Combat Medical Badge, Combat Action Badge,
 1114 Combat Action Ribbon, Air Force Combat Action Medal, or
 1115 Distinguished Flying Cross, upon application to the department,
 1116 accompanied by proof of release or discharge from any branch of
 1117 the United States Armed Forces, proof of active membership or
 1118 retired status in the Florida National Guard, proof of
 1119 membership in the Pearl Harbor Survivors Association or proof of
 1120 active military duty in Pearl Harbor on December 7, 1941, proof
 1121 of being a Purple Heart medal recipient, proof of being a Bronze
 1122 Star recipient, proof of active or retired membership in any
 1123 branch of the United States Armed Forces Reserve, or proof of
 1124 membership in the Combat Infantrymen's Association, Inc., proof
 1125 of being a recipient of the Combat Infantry Badge, Combat

1126 Medical Badge, Combat Action Badge, Combat Action Ribbon, Air
1127 Force Combat Action Medal, or Distinguished Flying Cross, and
1128 upon payment of the license tax for the vehicle as provided in
1129 s. 320.08, shall be issued a license plate as provided by s.
1130 320.06 which, in lieu of the serial numbers prescribed by s.
1131 320.06, is stamped with the words "Veteran," "Woman Veteran,"
1132 "WWII Veteran," "Navy Submariner," "National Guard," "Pearl
1133 Harbor Survivor," "Combat-wounded veteran," "Bronze Star," "U.S.
1134 Reserve," "Combat Infantry Badge," "Combat Medical Badge,"
1135 "Combat Action Badge," "Combat Action Ribbon," "Air Force Combat
1136 Action Medal," or "Distinguished Flying Cross," as appropriate,
1137 and a likeness of the related campaign medal or badge, followed
1138 by the serial number of the license plate. Additionally, the
1139 Purple Heart plate may have the words "Purple Heart" stamped on
1140 the plate and the likeness of the Purple Heart medal appearing
1141 on the plate.

1142 Section 13. Except as otherwise expressly provided in this
1143 act, this act shall take effect October 1, 2020, but only if HB
1144 387 or similar legislation takes effect, if such legislation is
1145 adopted in the same legislative session or an extension thereof
1146 and becomes a law.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCS for HB 387 License Plate Fees
SPONSOR(S): Transportation & Infrastructure Subcommittee
TIED BILLS: HB 1135 **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Transportation & Infrastructure Subcommittee		Johnson	Vickers

SUMMARY ANALYSIS

There are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional annual use fee for such plate. The collected fees are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to statutorily designated organizations in support of a particular cause or charity.

HB 1135 (2020), which this bill is linked to, creates various specialty license plates and provides for the design of each plate and the use of the annual use fees associated with each plate.

This bill provides that unless the amount of the annual use fee is otherwise specified for a particular specialty license plate, the annual use fee of \$25 will be charged for any specialty license plate that is required to be developed. The bill also establishes an annual use fee of \$50 for the Auburn University, the University of Georgia, and the University of Alabama specialty license plates.

The bill will have a negative, but insignificant, fiscal impact on DHSMV associated with programming costs. These costs can be absorbed within existing resources.

This bill authorizes a new state fee, requiring a two-thirds vote of the membership of the House. See Section III.A.2. of the analysis.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Legislation Imposing or Raising State Fees or Taxes

The Florida Constitution provides that no state tax or fee may be imposed, authorized, or raised by the Legislature except through legislation approved by two-thirds of the membership of each house of the Legislature.¹ For purposes of this requirement, a “fee” is any charge or payment required by law, including any fee or charge for services and fees or costs for licenses and to “raise” a fee or tax means to:²

- Increase or authorize an increase in the rate of a state tax or fee imposed on a percentage or per mill basis;
- Increase or authorize an increase in the amount of a state tax or fee imposed on a flat or fixed amount basis; or
- Decrease or eliminate a state tax or fee exemption or credit.

A bill that imposes, authorizes, or raises any state fee or tax may only contain the fee or tax provision(s) and may not contain any other subject.³

The constitutional provision does not authorize any state tax or fee to be imposed if it is otherwise prohibited by the constitution and does not apply to any tax or fee authorized or imposed by a county, municipality, school board, or special district.⁴

Specialty License Plates

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and 10 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.⁵ The collected fees are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to statutorily designated organizations in support of a particular cause or charity. A vehicle registered under the International Registration Plan, a commercial truck required to display two license plates, or a truck tractor are not eligible for specialty 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 The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.⁸

HB 1135 (2020), which this bill is linked to, creates 17 specialty license plates and provides for their design and the use of their annual use fees.

¹ Fla. Const. art. VII, s. 19(a)-(b). The amendment appeared on the 2018 ballot as Amendment 5.

² Fla. Const. art. VII, s. 19(d).

³ Fla. Const. art. VII, s. 19(e).

⁴ Fla. Const. art. VII s. 19(c).

⁵ The annual use fees for specific specialty license plates are provided in s. 320.08056(4), F.S.

⁶ Section 320.08056(2), F.S.

⁷ Section 320.08062, F. S.

⁸ Section 320.08056(10)(a), F.S.

Proposed Changes

The bill amends s. 320.08056, F.S., providing that unless the amount of an annual use fee is otherwise specified for a particular specialty license plate, then an annual use fee of \$25 for any specialty license plate that is required to be developed pursuant to s. 320.08058, F.S., will be charged.

The bill also establishes an annual use fee of \$50 for the Auburn University, University of Georgia, and the University of Alabama specialty license plates.

B. SECTION DIRECTORY:

Section 1 amends s. 320.08056, F.S., relating to specialty license plates.

Section 2 provides that this act takes effect on the same date that HB 1135 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill will have a negative, but insignificant, fiscal impact on DHSMV associated with programming costs. 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:

Recipient organizations may see an increase in revenues associated with the sale of specialty license plates.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not appear to affect county or municipal governments.

2. Other:

Article VII, s. 19 of the Florida Constitution requires the imposition, authorization, or raising of a state tax or fee be contained in a separate bill that contains no other subject and be approved by two-thirds of the membership of each house of the Legislature. As such, the bill appears to implicate Art.

VII, s. 19 of the Florida Constitution because the bill authorizes a \$25 fee for specialty license plates and a \$50 fee for specialty license plates for out-of-state universities.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.

1 A bill to be entitled
 2 An act relating to license plate fees; amending s.
 3 320.08056, F.S.; providing for collection of a uniform
 4 annual use fee for a specialty license plate unless
 5 otherwise specified; establishing annual use fees for
 6 certain specialty license plates; providing an
 7 effective date.

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

10
 11 Section 1. Paragraph (d) of subsection (3), of section
 12 320.08056, Florida Statutes, is amended and paragraphs, (z),
 13 (aa), and (bb) are added to subsection (4) of that section, as
 14 amended by HB 1135, 2020 Regular Session to read:

15 320.08056 Specialty license plates.—

16 (3) Each request must be made annually to the department
 17 or an authorized agent serving on behalf of the department,
 18 accompanied by the following tax and fees:

19 (d) Unless the amount of the annual use fee is otherwise
 20 specified ~~A license plate annual use fee as required in~~
 21 subsubsection (4) for a particular specialty license plate, an
 22 annual use fee of \$25 for any specialty license plate that is
 23 required to be developed under s. 320.08058.

24
 25 A request may be made any time during a registration period. If

26 | a request is made for a specialty license plate to replace a
27 | current valid license plate, the specialty license plate must be
28 | issued with appropriate decals attached at no tax for the plate,
29 | but all fees and service charges must be paid. If a request is
30 | made for a specialty license plate at the beginning of the
31 | registration period, the tax, together with all applicable fees
32 | and service charges, must be paid.

33 | (4) The following license plate annual use fees shall be
34 | collected for the appropriate specialty license plates:

35 | (z) Auburn University license plate, \$50.

36 | (aa) University of Georgia license plate, \$50.

37 | (bb) University of Alabama license plate, \$50.

38 | Section 2. This act shall take effect on the same date
39 | that HB 1135 or similar legislation takes effect, if such
40 | legislation is adopted in the same legislative session or an
41 | extension thereof and becomes a law.