



---

# **Transportation & Tourism Appropriations Subcommittee**

**Monday, January 29, 2018  
3:00 PM – 6:00 PM  
Reed Hall (102 HOB)**

## **Meeting Packet**



# **The Florida House of Representatives**

## **Appropriations Committee**

### **Transportation & Tourism Appropriations Subcommittee**

**Richard Corcoran**  
Speaker

**Clay Ingram**  
Chair

#### **AGENDA**

Monday, January 29, 2018

Reed Hall (102 HOB)

3:00 PM – 6:00 PM

- I. Call to Order/Roll Call
- II. Opening Remarks by Chair Ingram
- III. **Consideration of the following committee bills:**

**HB 819** Truck License Taxes by Williamson

**HB 981** Electric and Hybrid Vehicles by Olszewski

**CS/HB 1163** Transportation Facility Designations by Transportation & Infrastructure Subcommittee, Trumbull

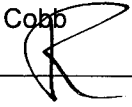
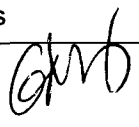
**HB 1263** Specialty License Plates by Miller, M.

- IV. Closing Remarks and Adjournment



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 819 Truck License Taxes  
**SPONSOR(S):** Williamson  
**TIED BILLS:** IDEN./SIM. **BILLS:** SB 672

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	12 Y, 0 N	Roth	Vickers
2) Transportation & Tourism Appropriations Subcommittee		Cobb 	Davis 
3) Government Accountability Committee			

### SUMMARY ANALYSIS

In Florida, there are annual license taxes for the operation of motor vehicles which are paid to the Department of Highway Safety and Motor Vehicles, upon the registration or renewal of each item. The amount of the tax depends on the type and size of the vehicle. Current law provides a restricted license plate with a reduced annual license tax for an eligible truck tractor or heavy truck, not operated as a for-hire vehicle, which is engaged exclusively in transporting raw, unprocessed, and non-manufactured agricultural or horticultural products, within a 150-mile radius of its home address.

The bill removes the 150-mile distance restriction on trucks with an agricultural restricted license plates, and expands the restriction to anywhere within the state.

The Revenue Estimating Conference met on January 12, 2018, and determined that there is a negative but insignificant impact to the General Revenue Fund and the State Transportation Trust Fund. The bill does not appear to have a fiscal impact on state expenditures.

The bill has an effective date of July 1, 2018.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

In Florida, there are annual license taxes for the operation of motor vehicles, mopeds, motorized bicycles, tri-vehicles, and mobile homes. Upon the registration or renewal of each item, the license taxes are paid to the Department of Highway Safety and Motor Vehicles.<sup>1</sup> The amount of the tax depends on the type and size of the vehicle. For example, a truck tractor or heavy truck with a gross vehicle weight of 35,000 pounds or more, but less than 44,000 pounds is required to pay a \$405 license tax on an annual basis.<sup>2</sup> Whereas, a truck tractor or heavy truck with a gross vehicle weight of 44,000 pounds or more, but less than 55,000 pounds will pay \$773 in license taxes each year.<sup>3</sup>

Current law provides a restricted license plate with a reduced annual license tax for an eligible truck tractor or heavy truck, not operated as a for-hire vehicle, which is engaged exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products, within a 150-mile radius of its home address.<sup>4</sup> The fees for the plates are as follows:

- \$87.75 (of which \$22.75 is transferred to the General Revenue Fund and \$65 to the State Transportation Trust Fund), if the vehicle's declared gross vehicle weight is less than 44,000 pounds.<sup>5</sup>
- \$324 (of which \$84 is transferred to the General Revenue Fund and \$240 to the State Transportation Trust Fund), if the vehicle's declared gross vehicle weight is 44,000 pounds or more and such vehicle only transports from the point of production to:
  - The point of primary manufacture;
  - The point of assembling the same; or
  - A shipping point of a rail, water, or motor transportation company.<sup>6</sup>

Generally, a truck tractor or heavy truck, which does not qualify for such restricted plate, is required to pay an annual registration fee that can range from \$60.75 to \$1,322, depending on the vehicle's overall gross weight.<sup>7</sup> Portions of annual license registration fees are deposited into the General Revenue Fund and the remaining fees are distributed to the State Transportation Trust Fund as provided in s. 320.20, F.S.

In FY 2016-2017, there were 646 vehicles weighing less than 44,000 pounds registered with agricultural restricted license plates. These registrations generated \$56,117.99 in fees. Additionally, there were 1,018 vehicles weighing more than 44,000 pounds registered with agricultural restricted license plates. These registrations generated \$284,312.22, totaling \$340,430.21 in fees for all vehicles registered with agricultural restricted plates in FY 2016-2017.<sup>8</sup>

The fee for the restricted license plate also applies to not-for-hire truck tractors and heavy trucks used exclusively in transporting raw, unprocessed and non-manufactured agricultural or horticultural products to be used to haul farm implements and fertilizers when delivered direct to the growers. "Not-for-hire" means that the owner of the motor vehicle must also be the owner of the raw, unprocessed, and nonmanufactured agricultural or horticultural product, or the user of farm implements and fertilizer being delivered.<sup>9</sup>

---

<sup>1</sup> Section 320.08, F.S.

<sup>2</sup> Section 320.08(4)(h), F.S.

<sup>3</sup> Section 320.08(4)(i), F.S.

<sup>4</sup> Section 320.08(4)(n), F.S.

<sup>5</sup> Section 320.08(4)(n)1., F.S.

<sup>6</sup> Section 320.08(4)(n)2., F.S.

<sup>7</sup> Section 320.08(4)(a)-(l), F.S.

<sup>8</sup> Email from Kevin Jacobs, Deputy Legislative Affairs Director, Department of Highway Safety and Motor Vehicles, RE: HB 819 (January 8, 2019).

<sup>9</sup> Section 320.08(4)(n)2., F.S.

## **Proposed Changes**

The bill removes the 150-mile distance restriction on agricultural restricted license plates, and expands the restriction to anywhere within the state. This may result in an increase in the number of vehicles registered with agricultural restricted license plates.

### **B. SECTION DIRECTORY:**

**Section 1:** Amends s. 320.08, F.S., relating to license taxes.

**Section 2:** Provides an effective date of July 1, 2018.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### **1. Revenues:**

The Revenue Estimating Conference met on January 12, 2018, and determined that there is a negative but insignificant impact to the General Revenue Fund and the State Transportation Trust Fund.<sup>10</sup>

#### **2. Expenditures:**

The bill does not appear to have a fiscal impact to state expenditures.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

#### **1. Revenues:**

None.

#### **2. Expenditures:**

None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

Expanding the distance that the agricultural restricted license plates are authorized to travel may reduce the costs associated with shipping some agricultural products, benefiting the agricultural industry.

### **D. FISCAL COMMENTS:**

None.

## **III. COMMENTS**

### **A. CONSTITUTIONAL ISSUES:**

#### **1. Applicability of Municipality/County Mandates Provision:**

---

<sup>10</sup> Revenue Estimating Conference Impact Conference, Revenue Impact Results of 2017 CS/HB 1231, p. 408, available at [http://edr.state.fl.us/Content/conferences/revenueimpact/archives/2017/\\_pdf/Impact0324.pdf](http://edr.state.fl.us/Content/conferences/revenueimpact/archives/2017/_pdf/Impact0324.pdf) (March 24, 2017).

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:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

#### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

HB 819

2018

A bill to be entitled  
An act relating to truck license taxes; amending s.  
320.08, F.S.; revising which truck tractors and heavy  
trucks transporting certain agricultural or  
horticultural products are eligible for reduced  
license taxes; providing an effective date.

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

Section 1. Paragraph (n) of subsection (4) of section  
320.08, Florida Statutes, is amended to read:

320.08 License taxes.—Except as otherwise provided herein,  
there are hereby levied and imposed annual license taxes for the  
operation of motor vehicles, mopeds, motorized bicycles as  
defined in s. 316.003(3), tri-vehicles as defined in s. 316.003,  
and mobile homes as defined in s. 320.01, which shall be paid to  
and collected by the department or its agent upon the  
registration or renewal of registration of the following:

(4) HEAVY TRUCKS, TRUCK TRACTORS, FEES ACCORDING TO GROSS  
VEHICLE WEIGHT.—

(n) A truck tractor or heavy truck~~7~~ not operated as a for-  
hire vehicle and~~7~~ which is engaged exclusively in transporting  
raw, unprocessed, and nonmanufactured agricultural or  
horticultural products within the state ~~a 150-mile radius of its~~  
~~home address~~~~7~~, is eligible for a restricted license plate for a

HB 819

2018

fee of:

1. If such vehicle's declared gross vehicle weight is less than 44,000 pounds, \$87.75 flat, of which \$22.75 shall be deposited into the General Revenue Fund.

2. If such vehicle's declared gross vehicle weight is 44,000 pounds or more and such vehicle only transports from the point of production to the point of primary manufacture; to the point of assembling the same; or to a shipping point of a rail, water, or motor transportation company, \$324 flat, of which \$84 shall be deposited into the General Revenue Fund.

Such not-for-hire truck tractors and heavy trucks used exclusively in transporting raw, unprocessed, and nonmanufactured agricultural or horticultural products may be incidentally used to haul farm implements and fertilizers delivered direct to the growers. The department may require any documentation deemed necessary to determine eligibility before ~~prior to~~ issuance of this license plate. For the purpose of this paragraph, "not-for-hire" means the owner of the motor vehicle must also be the owner of the raw, unprocessed, and nonmanufactured agricultural or horticultural product, or the user of the farm implements and fertilizer being delivered.

Section 2. This act shall take effect July 1, 2018.



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 981 Electric and Hybrid Vehicles  
**SPONSOR(S):** Olszewski  
**TIED BILLS:** **IDEN./SIM. BILLS:** CS/SB 384

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	13 Y, 0 N	Johnson	Vickers
2) Transportation & Tourism Appropriations Subcommittee		Cobb	Davis
3) Government Accountability Committee			

### SUMMARY ANALYSIS

The bill requires the Florida Transportation Commission (FTC) to review all funding sources for transportation infrastructure and maintenance projects and to prepare a report assessing the effect of projected electric and hybrid vehicle use on future revenues from existing taxes on certain nonelectric vehicles. The review must occur when the FTC, in consultation with the Department of Highway Safety and Motor Vehicles (DHSMV), determines that electric and hybrid vehicles make up two percent or more of the total number of registered vehicles in this state. The bill also requires the FTC, in consultation with the Division of Emergency Management (DEM), to make an assessment of transportation infrastructure with respect to emergency evacuations and electric vehicles, including the availability of electric vehicle charging stations.

The bill requires the report to include recommendations to the Legislature relating to transportation funding for certain maintenance and improvements and requires the report to be submitted by September 1 of the year immediately after the year in which the FTC determines that electric and hybrid vehicles make up two percent or more of the total number of vehicles registered in Florida. The FTC may complete its review and report before the two-percent threshold is reached if the FTC determines that earlier completion is appropriate to maintain a financially stable long-term transportation work program.

Additionally, the bill revises planning requirements related to autonomous technology and electric vehicles to be considered as part of each metropolitan planning organization's development of the long-range transportation plan.

The bill is expected to result in a negative, but insignificant workload impact on the FTC; however, the impact can be absorbed within existing resources. Similarly, the bill may result in an indeterminate, though likely insignificant workload impact on DEM and DHSMV, and it is expected that these impacts can be absorbed within existing resources.

The bill has an effective date of July 1, 2018.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

##### Florida Transportation Commission

The Florida Transportation Commission (FTC) serves as a citizen's oversight board for the Department of Transportation (DOT), expressway authorities, and regional transportation authorities. The FTC is assigned to DOT for administrative and fiscal purposes; but otherwise, functions independently of DOT's control and direction. The FTC is composed of nine Commissioners appointed by the Governor and confirmed by the Senate for four-year terms.

The FTC's primary functions are to:

- Review major transportation policy initiatives or revisions submitted by DOT.
- Recommend major transportation policy to the Governor and Legislature.
- Serve as an oversight body for DOT.
- Serve as an oversight body for transportation authorities and monitor and report on the efficiency, productivity and management of those authorities.<sup>1</sup>

##### Electric Vehicles

Electric Vehicles (EVs) offer a readily available and cleaner fuel source, with higher fuel efficiency and improved air quality. Increasing interest in EV use is driven by higher gas prices and greenhouse gas emission concerns, but their relative high cost compared to conventional fuel-powered vehicles and their relative limited range have restricted the commercial viability of EVs.<sup>2</sup> However, advancements in EV-related technology are continuing, EV manufacturing is rising, and EV prices have been dropping.<sup>3</sup>

Section 320.01(36), F.S., defines "electric vehicle" for purposes of motor vehicle registration as "a motor vehicle that is powered by an electric motor that draws current from rechargeable storage batteries, fuel cells, or other sources of electrical current."

Section 316.0741 (1)(b), F.S., defines "hybrid vehicle" for purposes of use of high-occupancy-vehicle lanes, as a motor vehicle:

- That draws propulsion energy from onboard sources of stored energy which are both an internal combustion or heat engine using combustible fuel and a rechargeable energy-storage system;
- That, in the case of a passenger automobile or light truck, has received a certificate of conformity under the Clean Air Act<sup>4</sup> and meets or exceeds the equivalent qualifying California standards for a low-emission vehicle;<sup>5</sup> and
- That, in the case of a tri-vehicle, is an inherently low-emission vehicle.

##### *Impact of EVs on Transportation Funding*

Taxes on gas and diesel fuel are a primary source of revenue for both the federal highway fund and the State Transportation Trust Fund.<sup>6</sup> Transportation funding has generally experienced a continuing

---

<sup>1</sup> Florida Transportation Commission: <http://www.ftc.state.fl.us/aboutus.shtm> (Last visited December 13, 2017)/

<sup>2</sup> Federal Highway Administration's *FHWA NHTS Brief, Electric Vehicle Feasibility*, July 2016, pp. 1-2, available at: <http://nhts.ornl.gov/briefs/EVFeasibility20160701.pdf>. (Last visited January 4, 2018).

<sup>3</sup> *Id.* at p. 2.

<sup>4</sup> 42 U.S.C. ss. 7401 et seq.

<sup>5</sup> For detailed information on California's Low-Emission Vehicle Program, see the California Air Resources Board website available at: <https://www.arb.ca.gov/msprog/levprog/levprog.htm>. (Last visited January 4, 2017.)

<sup>6</sup> Florida Department of Transportation's *Florida's Transportation Tax Sources, A Primer*, January 2017, at p. 4, for a listing of federal and state transportation tax sources and rates for calendar year 2017, available at: <http://www.fdot.gov/comptroller/pdf/GAO/RevManagement/Tax%20Primer.pdf>. (Last visited December 13, 2017.)

shortfall attributed to static federal gas tax rates, more fuel efficient vehicles, and increasing transportation construction and maintenance costs.<sup>7</sup>

Annual fuel tax revenues at both the state and federal levels are directly based on the number of gallons of gasoline and diesel fuel consumed. Because AEVs are not powered by gasoline or diesel, and because hybrid electric-vehicles (HEVs) and plug-in hybrid electric vehicles (PHEVs) use less gasoline or diesel fuel than a conventional vehicle with only an internal combustion engine, an increase in the number of EVs operating in Florida would result in less revenue being raised from fuel taxes for comparable vehicle miles traveled.

Research reveals a limited number of studies specifically focused on the impact of EVs on fuel tax revenues. Of the most recent, a 2015 study conducted by the University of Central Florida acknowledges the increasing national EV sales trend for the five-year period prior to the study but concludes:

Of course, despite the increase, electric and plug-in electric vehicles still represent a small portion of the US auto market. With total vehicles sales for 2014 coming in at around 16.5 million, EVs made up less than 1 percent of total sales.<sup>8</sup>

The study further concludes that EVs, for now and in the near future, will have only a small impact on gas tax revenues but notes a University of Texas study on EV market share suggesting that by 2050, over 50 percent of gas tax funds may be lost.<sup>9</sup> The authors highlight the importance of understanding the notion that “the rate at which revenue declines depends on many factors... The relationship among these factors is complex and continued investigation is warranted to better understand vehicle fleet mix, fuel economy, and fuel tax revenue.”<sup>10</sup>

According to the study, a number of states are exploring or implementing revenue generating alternatives, both to increase transportation funding in general and also to prepare for revenue reduction due to increased EV sales. These alternatives include a fee based on the number of miles a given vehicle travels,<sup>11</sup> as well as increased direct taxes and surcharges on EV purchases.<sup>12</sup>

#### *EV Registration in Florida*

The registration license tax for EVs is the same as that for a non-electric vehicle.<sup>13</sup> The exact number of EVs registered in Florida is somewhat unclear. Under DHSMV’s current vehicle registration system programming, “fuel type” classification is an optional field and therefore the precise number of EVs registered is unknown.

DHSMV analyzed vehicle identification numbers (VINs) in its motor vehicle registration database using available software and estimated that of the 16.2 million vehicles with VINs that could be analyzed, 16,116 EVs are registered in Florida, or about 0.1 percent.<sup>14</sup> A review of the DHSMV’s analysis of the

---

<sup>7</sup> See the U.S. Department of Energy National Renewable Energy Laboratory’s *Primer on Motor Fuel Excise Taxes and the Role of Alternative Fuels and Energy Efficient Vehicles*, August 2015, at p. 7, available at: .

[https://www.afdc.energy.gov/uploads/publication/motor\\_fuel\\_tax\\_primer.pdf](https://www.afdc.energy.gov/uploads/publication/motor_fuel_tax_primer.pdf) (Last visited January 4, 2018.)

<sup>8</sup> See the Electric Vehicle Transportation Center’s *Implications of Electric Vehicles on Gasoline Tax Revenues*, December 2015, at p. 8 available at: <http://www.fsec.ucf.edu/en/publications/pdf/FSEC-CR-2011-15.pdf>, (Last visited January 4, 2018.)

<sup>9</sup> *Id.* at p. 12.

<sup>10</sup> *Id.*

<sup>11</sup> Known as VMT (vehicle miles traveled) and MBUF (mileage-based user fee). Fees are assessed based on the actual amount of road use, not on fuel consumption.

<sup>12</sup> See the U.S. Department of Energy National Renewable Energy Laboratory’s *Primer on Motor Fuel Excise Taxes and the Role of Alternative Fuels and Energy Efficient Vehicles*, August 2015, at p. 7, available at:

[https://www.afdc.energy.gov/uploads/publication/motor\\_fuel\\_tax\\_primer.pdf](https://www.afdc.energy.gov/uploads/publication/motor_fuel_tax_primer.pdf). (Last visited January 4, 2018.)

<sup>13</sup> Section 320.08001, F.S. Registration fees differ based on factors such as the type of vehicle, its weight, the license plate chosen, and whether the registration period is one or two years.

<sup>14</sup> See the DHSMV’s SB 384 bill analysis at p. 5. (On file in the with the House Transportation & Infrastructure Subcommittee.)

companion Senate bill suggests that the 16,116 EVs are actually the number of all electric vehicles (AEVs) registered in Florida and does not include HEVs or PHEVs. Based on the DHSMV's analysis, of the 16.2 million vehicles with VINs that could be analyzed, approximately 247,131 EVs, including AEVs, HEVs, and PHEVs, are registered in Florida, or about 1.53 percent.<sup>15</sup>

### *Emergency Evacuation*

The Division of Emergency Management (DEM) is responsible for maintaining a comprehensive statewide emergency management program. Among the DEM's duties is a requirement to prepare a state comprehensive emergency management plan containing provisions that will ensure the state is prepared for emergencies and minor, major, and catastrophic disasters.<sup>16</sup> As part of the plan, the DEM must include an evacuation component including specific regional and interregional planning provisions and promoting intergovernmental coordination of evacuation activities. Among other items, this part of the plan must establish strategies for ensuring sufficient, reasonably priced fueling locations along evacuation routes.<sup>17</sup> A review of available documents and information on the DEM's website<sup>18</sup> did not identify an assessment of electric vehicle charging stations for the purpose of emergency evacuations.

Section 377.815, F.S., authorizes the Department of Agriculture and Consumer Services (DACS) to post information on its website relating to alternative fueling stations or electric vehicle charging stations that are available for public use. However, the authorization is not specific to emergency evacuation. DACS's website<sup>19</sup> contains a link to the Alternative Fuels Data Center (AFDC) website with information related to alternative fuels and advanced vehicles by state.

According to the AFDC, 882 electric vehicle charging stations (1,979 outlets) are currently available in Florida, excluding private stations.<sup>20</sup> DHSMV notes that no EV charging stations within Florida's transportation infrastructure are specifically designated for use during emergency evacuations.<sup>21</sup>

### Metropolitan Planning Organizations

Metropolitan Planning Organizations (MPOs) are federally-mandated transportation planning organizations comprised of representatives from local governments and transportation authorities. The MPO's role is to develop and maintain the required transportation plans for a metropolitan area and to ensure that federal funds support local priorities. Federal law requires MPOs in urbanized areas with a population of more than 50,000 individuals.<sup>22</sup> Florida currently has 27 MPOs.<sup>23</sup>

Section 339.175, F.S., provides state law regarding MPOs and generally mirrors applicable federal law. MPOs carry out four primary activities:

- Developing and maintaining a Long-Range Transportation Plan, addressing no less than a 20-year planning horizon.
- Updating and approving a Transportation Improvement Program, a four-year program for highway and transit improvements.
- Developing and adopting a Unified Planning Work Program, identifying the MPO's budget and planning activities to be undertaken in the metropolitan planning area.
- Preparing a Public Participation Plan, describing how the MPO involves the public and stakeholder communities in transportation planning.

---

<sup>15</sup> *Id.*

<sup>16</sup> Section 252.35(2)(a), F.S.

<sup>17</sup> *Id.*

<sup>18</sup> The FDEM's Florida Disaster website is available at: <http://www.floridadisaster.org/index.asp>. (Last visited November 28, 2017.)

<sup>19</sup> See the Florida Department of Agriculture and Consumer Services website available at:

<http://www.freshfromflorida.com/Energy/Florida-Energy-Clearinghouse/Transportation>. (Last visited November 28, 2017.)

<sup>20</sup> See the AFDC's website available at: [https://www.afdc.energy.gov/fuels/electricity\\_locations.html](https://www.afdc.energy.gov/fuels/electricity_locations.html), including a map and a download spreadsheet of locations and related information. (Last visited November 27, 2017.)

<sup>21</sup> *Supra* note 26 at p. 5.

<sup>22</sup> 23 U.S.C. s. 134

<sup>23</sup> A list of Florida's MPOs and links to each specific MPOs website is available at <https://www.mpoac.org/> (Last visited November 9, 2017).

Section 339.175(7), F.S., requires each MPO to develop a long-range transportation plan addressing at least a 20-year planning horizon. The long-range transportation plan must, at a minimum:

- Identify transportation facilities that will function as an integrated metropolitan transportation system.
- Include a financial plan demonstrating how the plan can be implemented, indicating resources from public and private sources which are reasonably expected to be available to carry out the plan, and recommends any additional financing strategies for needed projects and programs.
- Assess capital investment and other measures necessary to:
  - Ensure the preservation of the existing metropolitan transportation system including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities; and
  - Make the most efficient use of existing transportation facilities to relieve vehicular congestion, improve safety, and maximize the mobility of people and goods. Such efforts must include, but are not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as autonomous technology and other developments.
- Indicate, as appropriate, proposed transportation enhancement activities.
- In metropolitan areas that are classified as nonattainment areas for ozone or carbon monoxide, the MPO must coordinate the development of the long-range transportation plan with the State Implementation Plan developed pursuant to the requirements of the federal Clean Air Act.

## **Proposed Changes**

### Florida Transportation Commission Review and Report of Electric and Hybrid Vehicles

The bill requires the FTC to review all sources of revenue for transportation infrastructure and maintenance projects and prepare a report to the Governor and the Legislature when the FTC determines that electric vehicles and hybrid vehicles make up two-percent or more of the total number of vehicles registered in this state.

The FTC, in consultation with the Department of Highway Safety and Motor Vehicles (DHSMV), may use commercially available data that the FTC deems reliable to support its determination and report. The report must, at a minimum, assess the effect of projected electric and hybrid vehicle use in this state on future revenue from existing taxes, fees, and surcharges related to nonelectric, private-use motorcycles, mopeds, automobiles, tri-vehicles, and trucks.

The FTC, in consultation with the Division of Emergency Management (DEM), must also assess transportation infrastructure with respect to emergency evacuations and electric vehicles, including, but not limited to, the availability of electric vehicle charging stations in this state.

The report must include recommendations to the Legislature:

- To ensure continued funding for necessary maintenance that provides for adequate levels of service on existing transportation infrastructure;
- To accomplish improvements and capacity projects on transportation infrastructure which meet the demand from projected population and economic growth; and
- To accomplish necessary improvements to transportation infrastructure that would support emergency evacuations by users of electric vehicles.

The report is to be submitted to the Governor and the Legislature no later than September 1 of the year immediately after the year in which the FTC determines that electric vehicles and hybrid vehicles make up two percent or more of the total number of vehicles registered in this state.

The FTC may undertake and complete the review and report before the state reaches the two-percent threshold if the FTC finds that earlier completion is appropriate to maintain a financially stable long-term transportation work program.

#### MPO Transportation Planning

The bill amends s. 339.175(7)(c)2., F.S., providing that in preparing their long-range transportation plans, MPOs are required to consider technological improvements necessary to accommodate advances in vehicle technology such as the increased use of autonomous technology and electric vehicles.

#### B. SECTION DIRECTORY:

Section 1 requires the FTC to conduct an analysis and issue a report when certain conditions are met.

Section 2 amends s. 339.175, F.S., relating to metropolitan planning organizations.

Section 3 provides an effective date of July 1, 2018.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

None.

##### 2. Expenditures:

The bill is expected to result in a negative, though likely insignificant workload impact on FTC related to producing the report required in this bill; however, the impact can be absorbed within existing resources.<sup>24</sup>

Similarly, the bill may have a negative, though likely insignificant workload impact on DEM and DHSMV associated with consulting the FTC in its preparation of the report required in this bill. It is expected that these impacts can be absorbed within existing resources.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

##### 1. Revenues:

None.

##### 2. Expenditures:

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

#### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

#### D. FISCAL COMMENTS:

None.

---

<sup>24</sup> Email from FTC. December 14, 2017. Copy on file with Transportation & Infrastructure Subcommittee.  
STORAGE NAME: h0981b.TTA.DOCX  
DATE: 1/29/2018

### **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 expenditures 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:**

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 electric and hybrid vehicles;  
3 requiring the Florida Transportation Commission to  
4 review all sources of revenue for transportation  
5 infrastructure and maintenance projects and prepare a  
6 report to the Governor and the Legislature when the  
7 commission determines that electric and hybrid  
8 vehicles make up a certain percentage or more of the  
9 total number of vehicles registered in this state;  
10 authorizing the commission, in consultation with the  
11 Department of Highway Safety and Motor Vehicles, to  
12 use certain commercially available data; requiring the  
13 commission, in consultation with the Division of  
14 Emergency Management, to make an assessment of  
15 transportation infrastructure with respect to  
16 emergency evacuations and electric vehicles;  
17 specifying requirements for the report; requiring the  
18 report to be submitted to the Governor and the  
19 Legislature no later than a certain date; authorizing  
20 the commission to undertake and complete the review  
21 before the specified-percentage threshold is reached,  
22 under certain circumstances; amending s. 339.175,  
23 F.S.; requiring a long-range transportation plan to  
24 consider infrastructure and technological improvements  
25 necessary to accommodate the increased use of

HB 981

2018

autonomous technology and electric vehicles; providing  
an effective date.

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

Section 1. Florida Transportation Commission review;  
electric and hybrid vehicles report.-

(1)(a) The Florida Transportation Commission shall review  
all sources of revenue for transportation infrastructure and  
maintenance projects and prepare a report to the Governor and  
the Legislature when the commission determines that electric  
vehicles, as defined in s. 320.01(36), Florida Statutes, and  
hybrid vehicles, as defined in s. 316.0741, Florida Statutes,  
make up 2 percent or more of the total number of vehicles  
registered in this state.

(b) The commission, in consultation with the Department of  
Highway Safety and Motor Vehicles, may use commercially  
available data that the commission deems reliable to support its  
determination and report. The report must, at a minimum, assess  
the effect of projected electric and hybrid vehicle use in this  
state on future revenue from existing taxes, fees, and  
surcharges related to nonelectric, private-use motorcycles,  
mopeds, automobiles, tri-vehicles, and trucks.

(c) The commission, in consultation with the Division of  
Emergency Management, shall also make an assessment of

51 transportation infrastructure with respect to emergency  
52 evacuations and electric vehicles, including, but not limited  
53 to, the availability of electric vehicle charging stations in  
54 this state.

55 (2) The report must include recommendations to the  
56 Legislature:

57 (a) To ensure continued funding for necessary maintenance  
58 that provides for adequate levels of service on existing  
59 transportation infrastructure;

60 (b) To accomplish improvements and capacity projects on  
61 transportation infrastructure which meet the demand from  
62 projected population and economic growth; and

63 (c) To accomplish necessary improvements to transportation  
64 infrastructure that would support emergency evacuations by users  
65 of electric vehicles.

66 (3) The report shall be submitted to the Governor and the  
67 Legislature no later than September 1 of the year immediately  
68 after the year in which the commission determines that electric  
69 vehicles, as defined in s. 320.01(36), Florida Statutes, and  
70 hybrid vehicles, as defined in s. 316.0741, Florida Statutes,  
71 make up 2 percent or more of the total number of vehicles  
72 registered in this state.

73 (4) Notwithstanding any other provisions of this section,  
74 the commission may undertake and complete the review and report  
75 before the 2-percent threshold is reached if the commission

finds that earlier completion is appropriate to maintain a financially stable long-term transportation work program.

Section 2. Paragraph (c) of subsection (7) of section 339.175, Florida Statutes, is amended to read:

339.175 Metropolitan planning organization.—

(7) LONG-RANGE TRANSPORTATION PLAN.—Each M.P.O. must develop a long-range transportation plan that addresses at least a 20-year planning horizon. The plan must include both long-range and short-range strategies and must comply with all other state and federal requirements. The prevailing principles to be considered in the long-range transportation plan are: preserving the existing transportation infrastructure; enhancing Florida's economic competitiveness; and improving travel choices to ensure mobility. The long-range transportation plan must be consistent, to the maximum extent feasible, with future land use elements and the goals, objectives, and policies of the approved local government comprehensive plans of the units of local government located within the jurisdiction of the M.P.O. Each M.P.O. is encouraged to consider strategies that integrate transportation and land use planning to provide for sustainable development and reduce greenhouse gas emissions. The approved long-range transportation plan must be considered by local governments in the development of the transportation elements in local government comprehensive plans and any amendments thereto. The long-range transportation plan must, at a minimum:

HB 981

2018

(c) Assess capital investment and other measures necessary to:

1. Ensure the preservation of the existing metropolitan transportation system including requirements for the operation, resurfacing, restoration, and rehabilitation of major roadways and requirements for the operation, maintenance, modernization, and rehabilitation of public transportation facilities; and

2. Make the most efficient use of existing transportation facilities to relieve vehicular congestion, improve safety, and maximize the mobility of people and goods. Such efforts must include, but are not limited to, consideration of infrastructure and technological improvements necessary to accommodate advances in vehicle technology, such as the increased use of autonomous technology and electric vehicles, and other developments.

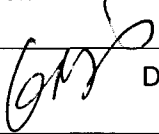
In the development of its long-range transportation plan, each M.P.O. must provide the public, affected public agencies, representatives of transportation agency employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transit, and other interested parties with a reasonable opportunity to comment on the long-range transportation plan. The long-range transportation plan must be approved by the M.P.O.

Section 3. This act shall take effect July 1, 2018.



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/HB 1163 Transportation Facility Designations  
**SPONSOR(S):** Transportation & Infrastructure Subcommittee; Trumbull  
**TIED BILLS:** **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	10 Y, 0 N, As CS	Johnson	Vickers
2) Transportation & Tourism Appropriations Subcommittee		Davis 	Davis
3) Government Accountability Committee			

### SUMMARY ANALYSIS

State law authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities, nor does the law require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone system listings.

The bill creates the Harold Haynes Memorial Pedestrian Bridge in Bay County and directs the Department of Transportation (DOT) to erect suitable markers for the designation.

DOT estimates a \$1,000 negative fiscal impact to the State Transportation Trust Fund associated with erecting suitable markers for the above designation. The cost can be absorbed within existing DOT resources.

## **FULL ANALYSIS**

### **I. SUBSTANTIVE ANALYSIS**

#### **A. EFFECT OF PROPOSED CHANGES:**

##### **Current Situation**

Section 267.062, F.S., provides for the naming of state buildings and other facilities. The statute provides that except as specifically provided by law, state buildings, roads, bridges, parks, recreational complexes and other similar facilities may not be named for a living person.

Section 334.071, F.S., authorizes legislative designations of transportation facilities for honorary or memorial purposes or to distinguish a particular facility. The legislative designations do not officially change the current names of the facilities nor does the statute require local governments and private entities to change street signs, mailing addresses, or 911 emergency telephone-number system listings.

The Department of Transportation (DOT) must place a marker at each termini or intersection of an identified road or bridge and erect other markers it deems appropriate for the transportation facility. The appropriate city or county commission must pass a resolution in support of a particular designation before road markers are erected. Additionally, if the designated road segment extends through multiple cities or counties, a resolution must be passed by each affected local government.

##### **Proposed Changes**

The bill designates, upon completion of construction, the pedestrian bridge over S.R. 390 at Kentucky Avenue and Mowat School Road in Bay County as the "Herald Haynes Memorial Pedestrian Bridge."

Harold Haynes served in the Navy during World War II and worked for nearly 28 years for Swift & Co. Additionally, he served on the Lynn Haven Planning Board, as Chairman of the Lynn Haven Police, Fire Department, and General Pension Boards. He also served nine years as a Lynn Haven City Commissioner. Mr. Haynes passed away on February 4, 2017.

The bill directs DOT to erect suitable markers for the above designation.

#### **B. SECTION DIRECTORY:**

Section 1 designates the Herald Haynes Memorial Pedestrian Bridge and directs DOT to erect suitable markers.

Section 2 provides an effective date of July 1, 2018.

### **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

#### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

##### **1. Revenues:**

None.

##### **2. Expenditures:**

DOT estimates a cost of \$1,000 per designation for the appropriate markers, which provides for two signs per designation at \$500 per sign.<sup>1</sup> Therefore, the bill has an estimated negative fiscal impact of \$1,000 to the State Transportation Trust Fund. This cost can be absorbed within existing DOT resources.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

None.

**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 affect county or municipal government.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

DOT suggested that the designation be changed from an overpass to a pedestrian bridge since the facility being designated is a pedestrian bridge.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On January 16, 2018, the Transportation & Infrastructure Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment changed all references to an "overpass" in the bill to "pedestrian bridge," since the facility being designated is a pedestrian bridge.

This analysis is drafted to the committee substitute as reported favorably by the Transportation & Infrastructure Subcommittee.

CS/HB 1163

2018

A bill to be entitled  
An act relating to transportation facility  
designations; providing honorary designation of a  
certain transportation facility in a specified county;  
directing the Department of Transportation to erect  
suitable markers; providing an effective date.

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

Section 1. Harold Haynes Memorial Pedestrian Bridge  
designated; Department of Transportation to erect suitable  
markers.—

(1) Upon completion of construction, the pedestrian bridge  
over S.R. 390 at Kentucky Avenue and Mowat School Road in Bay  
County is designated as "Harold Haynes Memorial Pedestrian  
Bridge."

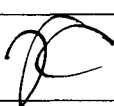
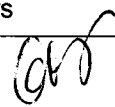
(2) The Department of Transportation is directed to erect  
suitable markers designating Harold Haynes Memorial Pedestrian  
Bridge upon its completion as described in subsection (1).

Section 2. This act shall take effect July 1, 2018.



## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 1263 Specialty License Plates  
**SPONSOR(S):** Miller, M.  
**TIED BILLS:** **IDEN./SIM. BILLS:** SB 1050

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	11 Y, 0 N	Roth	Vickers
2) Transportation & Tourism Appropriations Subcommittee		Cobb 	Davis 
3) Government Accountability Committee			

### SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to develop the Orlando City Soccer Club specialty license plate with an annual use fee of \$25.

The annual use fee is distributed as follows:

- Fifty-five percent to 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, and for additional authorized uses.

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

The bill has an effective date of October 1, 2018.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

##### Specialty License Plates in General

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.<sup>1</sup> The collected fees are distributed by the Department of Highway Safety and Motor Vehicles 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.<sup>2</sup>

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

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

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

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.<sup>7</sup> 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.<sup>8</sup>

##### Professional Sports Team License Plate

Section 320.08058(9), F.S., provides that Florida Professional Sports Team license plates must bear the colors and design approved by the department and must include the official league or team logo, or both, as appropriate for each team. The word "Florida" must appear at the top of the plate.

---

<sup>1</sup> Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 12, 2018).

<sup>2</sup> Section 320.08056(2), F.S.

<sup>3</sup> Section 320.08053(1), F.S.

<sup>4</sup> Section 320.08053(2)(a), F.S.

<sup>5</sup> Section 320.08053(2)(b), F.S.

<sup>6</sup> Section 320.08056 (8)(a), F.S.

<sup>7</sup> Section 320.08062, F. S.

<sup>8</sup> Section 320.08056(10)(a), F.S.

The annual use fee is distributed as follows:

- Fifty-five percent to 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 also be used for operational expenses of Enterprise Florida, Inc., and financial support of the Sunshine State Games.

There are nine Florida Professional Sports Teams 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.<sup>9</sup>

#### Orlando City Soccer Club

Orlando City Soccer Club was formed in 2010 and was awarded a Major League Soccer franchise in late November of 2013. On May 29, 2015, Orlando City Soccer Club announced they would be privately funding 100 percent of a new downtown stadium that would hold 25,500 people. The downtown stadium opened its doors for the first time to a sellout crowd on March 5, 2017.<sup>10</sup>

#### **Proposed Changes**

The bill directs DHSMV to develop the Orlando City Soccer Club specialty license plate with an annual use fee of \$25, bearing the colors and design approved by DHSMV. 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 is distributed as follows:

- Fifty-five percent to the Professional Sports Development Trust Fund within 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;

---

<sup>9</sup> Department of Highway Safety and Motor Vehicles, *2016 Specialty License Plate Rankings*, available at <http://www.flhsmv.gov/specialtytags/tagsales.pdf> (last visited January 16, 2018).

<sup>10</sup> Orlando City Soccer Club, *History*, available at <https://www.orlandocitysc.com/club/history> (last visited January 12, 2018).

- 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 also be used for operational expenses of Enterprise Florida, Inc., and financial support of the Sunshine State Games.

#### B. SECTION DIRECTORY:

**Section 1:** Amends s. 320.08056, F.S., relating to specialty license plates.

**Section 2:** Amends s. 320.08058, F.S., relating to specialty license plates.

**Section 3:** Provides an effective date of October 1, 2018.

### II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

#### A. FISCAL IMPACT ON STATE GOVERNMENT:

##### 1. Revenues:

Revenue 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 within DEO.

##### 2. Expenditures:

DHSMV estimates that 216 hours, or approximately \$7,680 in FTE and contracted resources will be required for programming and implementation of the specialty license plate. This cost can be absorbed within existing resources.<sup>11</sup>

Additionally, because the revenue from this plate will be deposited into the Professional Sports Development Trust Fund within DEO, there may be an indeterminate fiscal impact to state expenditures. Fifty-five percent of the revenue will be used by DEO solely to attract and support major sports events in this state, and the remaining revenue must be expended by Enterprise Florida, Inc., on sports promotional and physical fitness activities.

#### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

##### 1. Revenues:

None.

##### 2. Expenditures:

None.

#### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

<sup>11</sup> Florida Department of Highway Safety and Motor Vehicles, *Agency Analysis of 2018 House Bill 1263*, p. 5 (January 12, 2018).

Revenue from the sale of the Orlando City Soccer Club specialty license plate will be used to benefit the residents of the state of Florida by promoting education programs in schools, developing programs that recognize schools whose students demonstrate excellent physical fitness or fitness improvement, and distributing funds to Florida-based charities.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

**1. Applicability of Municipality/County Mandates Provision:**

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

**2. Other:**

None.

**B. RULE-MAKING AUTHORITY:**

None.

**C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

HB 1263

2018

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

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

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

15 320.08056 Specialty license plates.—

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

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

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

21 320.08058 Specialty license plates.—

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

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

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

HB 1263

2018

26 | be distributed and used as provided in paragraph (9)(b).

27 |       Section 3. This act shall take effect October 1, 2018.



Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)

ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)

ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)

FAILED TO ADOPT \_\_\_\_\_ (Y/N)

WITHDRAWN \_\_\_\_\_ (Y/N)

OTHER \_\_\_\_\_

Committee/Subcommittee hearing bill: Transportation & Tourism  
Appropriations Subcommittee

Representative Jenne offered the following:

**Amendment (with title amendment)**

Between lines 26 and 27, insert:

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



## Amendment No. 1

18 smaller vehicles. Validation stickers must also be treated with  
19 a retroreflection material, must be of such size as specified by  
20 the department, and must adhere to the license plate. The  
21 registration license plate must be imprinted with a combination  
22 of bold letters and numerals or numerals, not to exceed seven  
23 digits, to identify the registration license plate number. The  
24 license plate must be imprinted with the word "Florida" at the  
25 top and the name of the county in which it is sold, the state  
26 motto, or the words "Sunshine State" at the bottom. Apportioned  
27 license plates must have the word "Apportioned" at the bottom  
28 and license plates issued for vehicles taxed under s.  
29 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have  
30 the word "Restricted" at the bottom. License plates issued for  
31 vehicles taxed under s. 320.08(12) must be imprinted with the  
32 word "Florida" at the top and the word "Dealer" at the bottom  
33 unless the license plate is a specialty license plate as  
34 authorized in s. 320.08056. Manufacturer license plates issued  
35 for vehicles taxed under s. 320.08(12) must be imprinted with  
36 the word "Florida" at the top and the word "Manufacturer" at the  
37 bottom. License plates issued for vehicles taxed under s.  
38 320.08(5)(d) or (e) must be imprinted with the word "Wrecker" at  
39 the bottom. Any county may, upon majority vote of the county  
40 commission, elect to have the county name removed from the  
41 license plates sold in that county. The state motto or the words  
42 "Sunshine State" shall be printed in lieu thereof. A license  
43 plate issued for a vehicle taxed under s. 320.08(6) may not be



Amendment No. 1

44 assigned a registration license number, or be issued with any  
45 other distinctive character or designation, that distinguishes  
46 the motor vehicle as a for-hire motor vehicle.

47 Section 2. Paragraph (b) of subsection (2) of section  
48 320.0657, Florida Statutes, is amended to read:

49 320.0657 Permanent registration; fleet license plates.—

50 (2)

51 (b) The plates, which shall be of a distinctive color,  
52 shall have the word "Fleet" appearing at the bottom and the word  
53 "Florida" appearing at the top unless the license plate is a  
54 specialty license plate as authorized in s. 320.08056. The  
55 plates shall conform in all respects to the provisions of this  
56 chapter, except as specified herein. For additional fees as set  
57 forth in s. 320.08056, fleet companies may purchase specialty  
58 license plates in lieu of the standard fleet license plates.  
59 Fleet companies shall be responsible for all costs associated  
60 with the specialty license plate, including all annual use fees,  
61 processing fees, fees associated with switching license plate  
62 types, and any other applicable fees.

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

65 320.08 License taxes.—Except as otherwise provided herein,  
66 there are hereby levied and imposed annual license taxes for the  
67 operation of motor vehicles, mopeds, motorized bicycles as  
68 defined in s. 316.003(3), tri-vehicles as defined in s. 316.003,  
69 and mobile homes as defined in s. 320.01, which shall be paid to



Amendment No. 1

and collected by the department or its agent upon the registration or renewal of registration of the following:

(12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised motor vehicle dealer, independent motor vehicle dealer, marine boat trailer dealer, or mobile home dealer and manufacturer license plate: \$17 flat, of which \$4.50 shall be deposited into the General Revenue Fund. For additional fees as set forth in s. 320.08056, dealers may purchase specialty license plates in lieu of the standard graphic dealer license plates. Dealers shall be responsible for all costs associated with the specialty license plate, including all annual use fees, processing fees, fees associated with switching license plate types, and any other applicable fees.

Section 4. Subsection (2) of section 320.08056, Florida Statutes, is amended, to read:

320.08056 Specialty license plates.—

(2)(a) The department shall 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 pursuant to s. 320.0706, or a truck tractor, upon request and payment of the appropriate license tax and fees.

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



Amendment No. 1

96 fleet vehicles.

97 (c) Notwithstanding s. 320.08058, a dealer or fleet  
98 specialty license plate must include the letters "DLR" or "FLT"  
99 on the right side of the license plate. Dealer and fleet  
100 specialty license plates must be ordered directly through the  
101 department.

102 -----  
103  
104 **T I T L E   A M E N D M E N T**

105 Remove line 2 and insert:

106 An act relating to specialty license plates; amending s. 320.06,  
107 F.S.; providing an exception to the design of dealer license  
108 plates; amending s. 320.0657, F.S.; providing an exception to  
109 the design of fleet license plates; authorizing fleet companies  
110 to purchase specialty license plates in lieu of standard fleet  
111 license plates; requiring fleet companies to be responsible for  
112 certain costs; amending s. 320.08, F.S.; authorizing dealers to  
113 purchase specialty license plates in lieu of standard graphic  
114 dealer license plates; requiring dealers to be responsible for  
115 certain costs; amending s. 320.08056, F.S.; allowing the  
116 Department of Highway Safety and Motor Vehicles to authorize  
117 dealer and fleet specialty license plates; providing  
118 requirements for such plates; amending