



Transportation & Tourism Appropriations Subcommittee

**Tuesday, February 6, 2018
12:30 PM – 2:30 PM
Sumner Hall (404 HOB)**

REVISED

Meeting Packet



The Florida House of Representatives

Appropriations Committee

Transportation & Tourism Appropriations Subcommittee

Richard Corcoran
Speaker

Clay Ingram
Chair

AGENDA

Tuesday, February 6, 2018


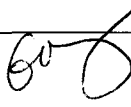
Sumner Hall (404 HOB)

12:30 PM – 2:30 PM

- I. Call to Order/Roll Call
- II. Opening Remarks by Chair Ingram
- III. **Consideration of the following committee bills:**
 - HB 1103** Regional Rural Development Grants by Albritton
 - HB 1287** Temporary Tags for Fleet Vehicles by Drake
 - HB 1319** Voter Registration Maintenance by Mariano
 - CS/HB 1359** License Plates by Transportation & Infrastructure Subcommittee, Grant, J., Mariano
- IV. Closing Remarks and Adjournment

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1103 Regional Rural Development Grants
SPONSOR(S): Albritton
TIED BILLS: IDEN./SIM. **BILLS:** SB 1646

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Agriculture & Property Rights Subcommittee	12 Y, 0 N	Thompson	Smith
2) Transportation & Tourism Appropriations Subcommittee		Banner 	Davis 
3) Commerce Committee			

SUMMARY ANALYSIS

Florida has enacted a number of economic development programs in rural areas. Two such programs include the Regional Rural Development Grants Program and the Rural Infrastructure Fund. The Regional Rural Development Grants Program is a state matching grant program established to provide funding to build the professional capacity of regional economic development organizations in Florida. The Rural Infrastructure Fund assists units of local government with the planning, preparing, and financing of infrastructure projects that encourage job creation and capital investment.

The bill makes the following modifications to the Regional Rural Development Grants Program:

- Increases the maximum grant amount that can be received by a regional economic development organization serving a rural area of opportunity from \$150,000 to \$250,000;
- Revises the match requirement from an equal amount to a 25 percent annual match;
- Clarifies how grants may be used to build the professional capacity of regional economic development organizations;
- Authorizes grants to be used by an organization to provide technical assistance to local governments;
- Removes the authorization that DEO contract for the development of an enterprise zone web portal or website.

The bill makes the following modifications to the Rural Infrastructure Fund:

- Removes the requirement that total project grants be up to 40 percent of the total cost for catalyst site projects;
- Increases the maximum amount that DEO may award for projects that are not located on designated catalyst sites from 30 percent to 50 percent;
- Expands eligible projects and uses to include broadband Internet service; and
- Removes a reference to projects located in an enterprise zone as it relates to DEO's application and funding reevaluation and review requirements.

In addition, the bill creates contract/agreement requirements for both the Regional Rural Development Grants Program and the Rural Infrastructure Fund. Contracts/agreements involving the expenditure of grant funds are to be placed on the regional economic development organization's or DEO's website, respectively, for review 14 days before execution. The bill requires the contracts/agreements to include the purpose, performance standards, budget, value of services, and travel and entertainment expenses.

The fiscal impact of the bill is indeterminate. See the Fiscal Analysis and Economic Impact Statement for discussion.

The effective date of the bill is July 1, 2018.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Regional Rural Development Grants Program

The Regional Rural Development Grants Program is a state matching grant program established to provide funding to build the professional capacity of regional economic development organizations in Florida.¹ Grants may also be used by an economic development organization to provide technical assistance to businesses within the rural counties and communities that it serves.²

The Department of Economic Opportunity (DEO) is authorized to approve, on an annual basis, grants to regionally based economic development organizations.³ To be approved, the applying organization must need assistance and provide to DEO:

- Documentation of official commitments of support from each local government represented by the regional organization;
- Demonstration that each local government has made a financial or in-kind commitment to the regional organization;
- Demonstration that the private sector has made financial or in-kind commitments to the regional organization;
- Demonstration that the regional organization is in existence and actively involved in economic development activities serving the region; and
- Demonstration of the manner in which the regional organization coordinates its efforts with those of other local and state organizations.⁴

An organization may receive up to \$50,000 a year, or \$150,000, if located in a rural area of opportunity (RAO).⁵ Grants must be matched by an equivalent amount of nonstate resources.⁶ DEO is authorized to spend up to \$750,000 each fiscal year from funds appropriated to the Rural Community Development Revolving Loan Fund to carry out this program.⁷

DEO is also authorized to contract for the development of an enterprise zone web portal or websites for each enterprise zone which will be used to market the Regional Rural Development Grants Program for job creation in disadvantaged urban and rural enterprise zones.⁸ However, the Florida Enterprise Zone Program expired on December 31, 2015.⁹

Regional Economic Development Organizations

Three regional economic development organizations operate in the state. Each of the three organizations coincides respectively with each of the state's three RAOs. An RAO is a rural community,¹⁰ or a region comprised of rural communities, designated by the Governor, which has been

¹ s. 288.018, F.S.

² s. 288.018(1), F.S.

³ *Id.*

⁴ s. 288.018(2), F.S.

⁵ s. 288.018(1), F.S.

⁶ *Id.*

⁷ s. 288.018(4), F.S.

⁸ s. 288.018(3), F.S.

⁹ s. 290.016, F.S.

¹⁰ s. 288.0656(2)(e), F.S., defines a "rural community" as a county with a population of 75,000 or fewer, a county with a population of 125,000 or fewer, which is contiguous to a county with a population of 75,000 or fewer, a municipality within such a county, or an

adversely affected by an extraordinary economic event, severe or chronic distress, or a natural disaster, or that presents a unique economic development opportunity of regional impact.¹¹ The Governor by executive order is authorized to designate up to three RAOs as a priority assignment for Rural Economic Development Initiative agencies. This allows the Governor to waive criteria, requirements, or similar provisions of any economic development incentive.¹²

The three designated RAOs are the:

- Northwest RAO, including Calhoun, Franklin, Gadsden, Gulf, Holmes, Jackson, Liberty, Wakulla, and Washington counties, and the City of Freeport in Walton County.¹³
- South Central RAO, including DeSoto, Glades, Hardee, Hendry, Highlands, and Okeechobee counties, and the cities of Pahokee, Belle Glade, and South Bay (Palm Beach County), and Immokalee (Collier County).¹⁴
- North Central RAO, including Baker, Bradford, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Putnam, Suwannee, Taylor, and Union counties.¹⁵

The three regional economic development organizations that operate in the state coincide with the current RAOs. They are public/private 501c(6) organizations that provide economic development support to the local governments that represent the RAOs. The organizations include:

- Opportunity Florida serves the Northwestern RAO;¹⁶
- Florida's Heartland Rural Economic Development Initiative, Inc. serves the South Central RAO;¹⁷ and
- North Florida Economic Development Partnership serves the North Central RAO.¹⁸

Rural Infrastructure Fund

The Rural Infrastructure Fund is a grant program created to facilitate the planning, preparing, and financing of infrastructure projects in rural communities.¹⁹ The program provides access to federal and state infrastructure funding programs, including, but not limited to, those offered by the U.S. Departments of Agriculture, and Commerce.²⁰ The program funds total infrastructure project grants, infrastructure feasibility grants, and preclearance review grants.

DEO is authorized to award grants for up to 30 percent of the total infrastructure project cost. If an application for funding is for a catalyst site,²¹ DEO may award grants for up to 40 percent of the total infrastructure project cost.²² Eligible projects must be related to specific job-creation or job-retention opportunities, and may also include:

unincorporated federal enterprise community or incorporated rural city with a population of 25,000 or fewer and an employment base focused on traditional agricultural or resource-based industries, located in a county not defined as rural, which has at least three or more of the economic distress factors identified in s. 288.0656(2)(c), F.S., and verified by DEO.

¹¹ s. 288.0656(2)(d), F.S.

¹² s. 288.0656(7)(a), F.S.

¹³ For additional information on Opportunity Florida, see: <http://www.opportunityflorida.com/> (last visited Jan. 17, 2018).

¹⁴ For additional information on Florida's Heartland Regional Economic Development Initiative, Inc., see: <http://flaheartland.com/> (last visited Jan. 17, 2018).

¹⁵ For additional information on the North Florida Economic Development Partnership, see: <http://nflp.org/?/Home> (last visited Jan. 17, 2018).

¹⁶ See generally, Opportunity Florida, available at <http://www.opportunityflorida.com/>, (last visited Jan. 17, 2018).

¹⁷ See generally, Florida's Heartland REDI, Inc., available at <http://flaheartland.com/>, (last visited Jan. 17, 2018). This organization is not directly related to the REDI program administered by the DEO pursuant to s. 288.0656, F.S.

¹⁸ See generally, North Florida Economic Development Partnership, available at <http://nflp.org/>, (last visited Jan. 17, 2018).

¹⁹ See s. 288.0655, F.S.

²⁰ s. 288.0655(2)(b), F.S.

²¹ s. 288.0656(2)(b), F.S., defines "catalyst site" as a parcel or parcels of land within a rural area of opportunity that has been prioritized as a geographic site for economic development through partnerships with state, regional, and local organizations. The site must be reviewed by the rural economic development initiative and approved by DEO for the purposes of locating a catalyst project.

²² s. 288.0655(2)(b), F.S.

- Improving any inadequate infrastructure that has resulted in regulatory action that prohibits economic or community growth; or
- Reducing the costs to community users of proposed infrastructure improvements that exceed such costs in comparable communities.²³

Eligible uses of funds include improvements to public infrastructure for industrial or commercial sites and upgrades to or development of public tourism infrastructure.²⁴ Authorized infrastructure projects include, but are not limited to the following public or public-private partnership facilities:

- Storm water systems;
- Telecommunications facilities;
- Broadband facilities;
- Roads;
- Nature-based tourism facilities;
- Other physical requirements necessary to facilitate tourism, trade, and economic development activities in the community; and
- Additions to certain electric utility and water and wastewater facilities.²⁵

Effect of Proposed Changes

Regional Rural Development Grants Program

The bill makes several revisions to the Regional Rural Development Grants Program. Specifically, the bill:

- Increases the maximum grant amount that can be received by each of the three regional economic development organizations serving a rural area of opportunity from \$150,000 to \$250,000;
- Revises the match requirement from an equal amount to a 25 percent annual match;
- Clarifies that grants may be used to build the professional capacity of regional economic development organizations for hiring professional staff to develop, facilitate the delivery of, and directly provide needed economic development professional services, including technical assistance, education and leadership development, marketing and project recruitment, and other services that are important for rural economic development; and
- Specifies that grants may be used by an organization to provide technical assistance to local governments, local economic development organizations, and existing and prospective businesses within the communities the organization serves.

The bill requires a contract or agreement that involves the expenditure of grant funds to be placed on the contracting regional economic development organization's website for review at least 14 days before execution. The contract or agreement, including those entered into between another entity and a regional economic development organization, a unit of local government, or an economic development organization substantially underwritten by a unit of local government, must include the following:

- The purpose of the contract or agreement;
- Specific performance standards and responsibilities for each entity;
- A detailed project or contract budget, if applicable;
- The value of any services provided; and
- The projected travel and entertainment expenses for employees and board members, if applicable.

The bill requires a plain language version of the following contracts or agreements to be posted on the contracting regional economic development organization's website:

²³ *Id.*

²⁴ *Id.*

²⁵ s. 288.0655(2)(b)1.&2., F.S.

- With a private entity, municipality, city, town, or vendor of services, supplies, or programs, including marketing; or
- For the purchase, lease, or use of lands, facilities, or properties which involves the expenditure of grant funds which is estimated to exceed \$35,000.

The bill removes the provision authorizing DEO to contract for the development of an enterprise zone web portal or websites for each enterprise zone, which are used to market the Regional Rural Development Grants Program for job creation in disadvantaged urban and rural enterprise zones.

Rural Infrastructure Fund

The bill makes several changes to the Rural Infrastructure Fund. The bill removes the requirement that total project grants be equal to at least 40 percent of the total cost for catalyst site projects, and increases from 30 percent to 50 percent, the percentage of the total cost for projects in rural counties that are not located on designated catalyst sites.

The bill expands the types of authorized eligible projects to include those that improve access to, and the availability of, broadband Internet service. The bill expands the eligible uses of funds requirements to include improvements to broadband Internet service and access in unserved or underserved rural communities.

The bill removes the reference to projects located in an enterprise zone as it relates to factors DEO is required to consider in its Rural Infrastructure Fund application and funding reevaluation and review requirements.

The bill creates contract and agreement posting and review requirements that are similar to those created for the Regional Rural Development Grants Program. The only difference is that a Rural Infrastructure Fund contract or agreement must be placed on DEO's website. The Regional Rural Development Grants Program contract and agreement review requires they be placed on the regional economic development organization's website.

B. SECTION DIRECTORY:

Section 1 Amends s. 288.018, F.S.; relating to the Regional Rural Development Grants Program.

Section 2 Amends s. 288.0655, F.S.; relating to the Rural Infrastructure Fund.

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 fiscal impact on state government expenditures is indeterminate. The bill increases the maximum amount of Regional Rural Development Grant funds that can be awarded to an organization, but not the overall funding for the program. The bill increases the maximum amount that DEO may award for Rural Infrastructure Fund projects. The bill also requires DEO to post certain Rural Infrastructure Fund contracts on its website.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The fiscal impact on local government revenues is indeterminate. The bill specifies that Regional Rural Development Grant funds may be used to provide technical assistance to local governments.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The direct economic impact to the private sector is indeterminate. The bill increases the maximum amount of Regional Rural Development Grant funds that can be awarded to an organization. The bill also requires a contracting regional economic development organization to place certain Regional Rural Development Grants Program contracts on its website.

D. FISCAL COMMENTS:

The bill requires 25 percent of Regional Rural Development Grant funds received by a regional economic development organization to be matched each year by a nonstate resource.

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

26 eligible for rural infrastructure grant funds;
 27 revising factors that the department must consider
 28 when awarding grant funds; requiring that contracts or
 29 agreements involving the expenditure of grant funds be
 30 placed on a certain website for a specified time
 31 period; requiring that certain information be included
 32 in a contract or agreement involving the expenditure
 33 of grant funds; requiring that a plain language
 34 version of certain contracts or agreements be placed
 35 on a certain website; providing an effective date.
 36

37 Be It Enacted by the Legislature of the State of Florida:
 38

39 Section 1. Subsections (1) and (3) of section 288.018,
 40 Florida Statutes, are amended to read:

41 288.018 Regional Rural Development Grants Program.—

42 (1) The department shall establish a matching grant
 43 program to provide funding to regional ~~regionally based~~ economic
 44 development organizations representing rural counties and
 45 communities to build ~~for the purpose of building~~ the
 46 professional capacity of such regional economic development
 47 ~~their~~ organizations. Building the professional capacity of
 48 regional economic development organizations includes hiring
 49 professional staff to develop, facilitate the delivery of, and
 50 directly provide needed economic development professional

51 services, including technical assistance, education and
 52 leadership development, marketing and project recruitment, and
 53 other services that are important for rural economic
 54 development. ~~Such~~ Matching grants may also be used by a regional
 55 ~~an~~ economic development organization to provide technical
 56 assistance to local governments, local economic development
 57 organizations, and existing and prospective businesses within
 58 the rural counties and communities that it serves. The
 59 department is authorized to approve, on an annual basis, grants
 60 to such regional ~~regionally based~~ economic development
 61 organizations. The maximum amount an organization may receive in
 62 any year will be \$50,000, or \$250,000 for each of the three
 63 regional economic development organizations serving rural areas
 64 of opportunity designated pursuant to s. 288.0656. The three
 65 regional economic development organizations include the North
 66 Florida Economic Development Partnership, Opportunity Florida,
 67 and Florida's Heartland Economic Region of Opportunity. Grant
 68 funds received by a regional economic development organization
 69 ~~\$150,000 in a rural area of opportunity recommended by the Rural~~
 70 ~~Economic Development Initiative and designated by the Governor,~~
 71 ~~and~~ must be matched each year by ~~an equivalent amount of~~
 72 nonstate resources in an amount equal to 25 percent of the state
 73 contribution.

74 (3) (a) A contract or agreement that involves the
 75 expenditure of grant funds provided under this section shall be

76 placed on the contracting regional economic development
 77 organization's website for review at least 14 days before
 78 execution.

79 (b) A contract or agreement that involves the expenditure
 80 of grant funds provided under this section, including a contract
 81 or agreement entered into between another entity and a regional
 82 economic development organization, a unit of local government,
 83 or an economic development organization substantially
 84 underwritten by a unit of local government, shall include:

- 85 1. The purpose of the contract or agreement.
- 86 2. Specific performance standards and responsibilities for
 87 each entity.
- 88 3. A detailed project or contract budget, if applicable.
- 89 4. The value of any services provided.
- 90 5. The projected travel and entertainment expenses for
 91 employees and board members, if applicable.

92 (c) A plain language version of a contract or agreement
 93 with a private entity, municipality, city, town, or vendor of
 94 services, supplies, or programs, including marketing, or for the
 95 purchase or lease or use of lands, facilities, or properties
 96 which involves the expenditure of grant funds provided under
 97 this section and which is estimated to exceed \$35,000 must be
 98 posted on the contracting regional economic development
 99 organization's website. ~~The department may also contract for the~~
 100 ~~development of an enterprise zone web portal or websites for~~

101 ~~each enterprise zone which will be used to market the program~~
 102 ~~for job creation in disadvantaged urban and rural enterprise~~
 103 ~~zones. Each enterprise zone web page should include downloadable~~
 104 ~~links to state forms and information, as well as local message~~
 105 ~~boards that help businesses and residents receive information~~
 106 ~~concerning zone boundaries, job openings, zone programs, and~~
 107 ~~neighborhood improvement activities.~~

108 Section 2. Subsection (5) of section 288.0655, Florida
 109 Statutes, is renumbered as subsection (6), paragraph (b) of
 110 subsection (2) and subsection (4) are amended, and new
 111 subsection (5) is added to that section, to read:

112 288.0655 Rural Infrastructure Fund.—

113 (2)(b) To facilitate access of rural communities and rural
 114 areas of opportunity as defined by the Rural Economic
 115 Development Initiative to infrastructure funding programs of the
 116 Federal Government, such as those offered by the United States
 117 Department of Agriculture and the United States Department of
 118 Commerce, and state programs, including those offered by Rural
 119 Economic Development Initiative agencies, and to facilitate
 120 local government or private infrastructure funding efforts, the
 121 department may award grants for up to 50 ~~30~~ percent of the total
 122 infrastructure project cost. ~~If an application for funding is~~
 123 ~~for a catalyst site, as defined in s. 288.0656, the department~~
 124 ~~may award grants for up to 40 percent of the total~~
 125 ~~infrastructure project cost.~~ Eligible projects must be related

126 to specific job-creation or job-retention opportunities.
 127 Eligible projects may also include improving any inadequate
 128 infrastructure that has resulted in regulatory action that
 129 prohibits economic or community growth or reducing the costs to
 130 community users of proposed infrastructure improvements that
 131 exceed such costs in comparable communities, which includes
 132 improving access to and the availability of broadband Internet
 133 service. Eligible uses of funds shall include improvements to
 134 public infrastructure for industrial or commercial sites, ~~and~~
 135 upgrades to or development of public tourism infrastructure, and
 136 improvements to broadband Internet service and access in
 137 unserved or underserved rural communities. Authorized
 138 infrastructure may include the following public or public-
 139 private partnership facilities: storm water systems;
 140 telecommunications facilities; broadband facilities; roads or
 141 other remedies to transportation impediments; nature-based
 142 tourism facilities; or other physical requirements necessary to
 143 facilitate tourism, trade, and economic development activities
 144 in the community. Authorized infrastructure may also include
 145 publicly or privately owned self-powered nature-based tourism
 146 facilities, publicly owned telecommunications facilities, and
 147 broadband facilities, and additions to the distribution
 148 facilities of the existing natural gas utility as defined in s.
 149 366.04(3)(c), the existing electric utility as defined in s.
 150 366.02, or the existing water or wastewater utility as defined

151 in s. 367.021(12), or any other existing water or wastewater
 152 facility, which owns a gas or electric distribution system or a
 153 water or wastewater system in this state where:

154 1. A contribution-in-aid of construction is required to
 155 serve public or public-private partnership facilities under the
 156 tariffs of any natural gas, electric, water, or wastewater
 157 utility as defined herein; and

158 2. Such utilities as defined herein are willing and able
 159 to provide such service.

160 (4) By September 1, 2012, the department shall, in
 161 consultation with the organizations listed in subsection (3),
 162 and other organizations, reevaluate existing guidelines and
 163 criteria governing submission of applications for funding,
 164 review and evaluation of such applications, and approval of
 165 funding under this section. The department shall consider
 166 factors including, but not limited to, the project's potential
 167 for enhanced job creation or increased capital investment, the
 168 demonstration and level of local public and private commitment,
 169 whether the project is located ~~in an enterprise zone,~~ in a
 170 community development corporation service area~~,~~ or in an urban
 171 high-crime area as designated under s. 212.097, the unemployment
 172 rate of the county in which the project would be located, and
 173 the poverty rate of the community.

174 (5) (a) A contract or agreement that involves the
 175 expenditure of grant funds provided under this section shall be

176 placed on the department's website for review at least 14 days
 177 before execution.

178 (b) A contract or agreement that includes the expenditure
 179 of grant funds provided under this section, including a contract
 180 or agreement entered into between an entity and a regional
 181 economic development organization, a unit of local government,
 182 or an economic development organization substantially
 183 underwritten by a unit of local government shall include:

- 184 1. The purpose of the contract or agreement.
- 185 2. Specific performance standards and responsibilities for
 186 each entity.
- 187 3. A detailed project or contract budget, if applicable.
- 188 4. The value of any services provided.
- 189 5. The projected travel and entertainment expenses for
 190 employees and board members, if applicable.

191 (c) A plain language version of a contract or agreement
 192 with a private entity, municipality, city, town, or vendor of
 193 services, supplies, or programs, including marketing, or for the
 194 purchase or lease or use of lands, facilities, or properties
 195 which involves the expenditure of grant funds provided under
 196 this section and which is estimated to exceed \$35,000 must be
 197 posted on the department's website.


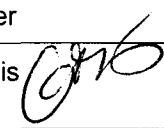
198 Section 3. This act shall take effect July 1, 2018.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1287 Temporary Tags for Fleet Vehicles

SPONSOR(S): Drake

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

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local, Federal & Veterans Affairs Subcommittee	10 Y, 0 N	Darden	Miller
2) Transportation & Tourism Appropriations Subcommittee		Cobb 	Davis 
3) Government Accountability Committee			

SUMMARY ANALYSIS

Department of Highway Safety and Motor Vehicles (DHSMV) is authorized to design, issue, and regulate the use of temporary tags. Temporary tags can be used while waiting for a permanent license plate or where a permanent plate may not be issued.

A fleet vehicle is a non-apportioned motor vehicle owned or leased by a company and used for business purposes (other than short-term rental). DHSMV sets minimum size requirements for fleets and fleets are registered as a group. Temporary tags are not currently authorized for fleet vehicles.

The bill authorizes DHSMV to partner with county tax collectors to issue temporary tags to fleet companies awaiting permanent registration and title. A fleet company must have a minimum of 3,500 fleet vehicles registered in the state as fleet vehicles and enter into a memorandum of understanding with DHSMV to receive temporary tags. DHSMV may issue up to 50 temporary tags to an eligible fleet company. Each temporary tag is assigned to one vehicle and becomes invalid upon receipt of the vehicle's permanent license plate and registration. DHSMV may terminate the memorandum of understanding upon a finding that a fleet company has misused a temporary tag.

According to DHSMV, the bill may have a negative, but insignificant fiscal impact on its expenditures, and an indeterminate, positive fiscal impact on the Highway Safety Operating Trust Fund and the Brain and Spinal Cord Injury Program Trust Fund. Additionally, the bill may have an indeterminate, positive fiscal impact on local government revenues.

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

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Temporary Tags

The Department of Highway Safety and Motor Vehicles (DHSMV) is authorized to design, issue, and regulate the use of temporary tags.¹ A temporary tag may be issued where:

- a dealer license plate may not be lawfully used;
- a casual or private sale has occurred;²
- a certified common carrier or driveway company transports a motor vehicle, mobile home, or recreational vehicle from one place to another for persons other than themselves;
- a bank, credit union, or other financial institution is not required to license a vehicle, but needs temporary tags for the purpose of demonstrating repossessions for sale;
- a motor vehicle is sold to a resident of another state for registration in that state and the motor vehicle is not required to be registered under s. 320.38, F.S.;
- a motor vehicle must have a vehicle identification number verified or must be weighed or have an emissions test performed prior to registration;³
- an out-of-state resident must secure documentation of ownership from his or her home state for a vehicle subject to registration in Florida;
- a motor vehicle is made available for lease by a rental car company, in accordance with rules established by DHSMV;⁴
- a personalized prestige or specialty license plate is being manufactured for use on the motor vehicle;⁵
- a licensed dealer is transporting motor vehicles and recreational vehicles from the dealer's licensed location to an off-premise sales location and return; and
- DHSMV has determined an applicant has demonstrated a need for a temporary tag, but does not otherwise qualify.

The unlawful issuance or use of a temporary tag is a non-criminal infraction punishable as a moving violation under ch. 318, F.S., as well as subject to administrative action by DHSMV.⁶ The use of a temporary tag that has been expired for seven days or less is a non-criminal infraction punishable as a non-moving violation under ch. 318, F.S. Knowing and willful use of the temporary tag issuance process to avoid registering a vehicle is a first degree misdemeanor.⁷ If a person knowingly and willfully issues a temporary tag or causes another to issue a temporary tag to a fictitious person or entity to avoid disclosure of the true owner, that person has committed a third degree felony.⁸ If DHSMV has determined a licensed dealer, common carrier, or financial institution has abused the temporary tag issuing process, the department may prohibit the party from purchasing temporary tags.⁹

¹ Section 320.131(1), F.S.

² A "casual or private sale" is any sale other than by a licensed dealer. S. 320.0131(1)(b), F.S.

³ A temporary tag issued for this purpose is valid for ten days. S. 320.131(1)(f), F.S.

⁴ If a motor vehicle receives a temporary tag under this sub-section, the license plate fee shall be calculated from the original issuance date of the temporary tag.

⁵ A temporary tag issued for this purpose is valid for 90 days. S. 320.131(1)(j), F.S.

⁶ Section 320.131(3), F.S.

⁷ Section 320.131(5), F.S.

⁸ Section 320.131(6), F.S.

⁹ Section 320.131(1), F.S.

DHSMV may also sell temporary tags to their agents where need is demonstrated by a consumer complainant.¹⁰ A \$2 fee is charged, which is divided between the Brain and Spinal Cord Injury Program Trust Fund and the Highway Safety Operating Trust Fund. DHSMV may also levy a service charge per transaction. Purchase requests made by DHSMV or its agents must be made on letterhead stationery and notarized, where applicable. A temporary tag issued under this subsection is valid for 30 days and no more than two shall be issued to the same person for the same vehicle.

Temporary tags must be displayed in the rear license plate bracket.¹¹ If a vehicle also requires the front display of a license plate, the temporary tag must be displayed on the front of the vehicle in the location where a metal license plate would normally be displayed. The tag must be made of materials, designated by DMSHV, that are either non-permeable or subject to weatherproofing.¹²

The issuers of temporary tags must keep records as required by ch. 320, F.S., as well as DHSMV rules.¹³ These records must be open to inspection by DHSMV or its agents during reasonable business hours. Knowingly and willfully failing to comply with record-keeping requirements is a second degree misdemeanor.

DHSMV maintains an electronic system for licensed motor vehicle dealers to issue temporary tags.¹⁴ DHSMV may deny, suspend, or revoke the license of a dealer who fails to comply with departmental requirements for issuing temporary tags. The system allows DHSMV to issue a temporary tag number in response to a request from the issuer using a secure transmission and then enable the issuer to print the tag containing all required information.¹⁵ If a system outage occurs, the issuer may use a backup manual issuance method which requires recordkeeping of information by DHSMV and timely electronic reporting of information to the department.¹⁶ DHSMV may adopt rules to administer the system, including exemptions as feasibly required to administer the program and for issuers who do not require a dealer license due to the type or size of vehicle being sold.¹⁷

Fleet Vehicles

A fleet vehicle is a non-apportioned motor vehicle owned or leased by a company and used for business purposes.¹⁸ DHSMV is authorized to determine the minimum number of vehicles which constitute a fleet. Short-term rental vehicles are excluded from the definition of fleet vehicles.

The owner or lessee of a fleet vehicle may receive permanent fleet license plates by filing an application with DHSMV and paying a license tax.¹⁹ The owner or lessee of a fleet vehicle must also pay an annual fleet management fee of \$2 and a one-time license plate manufacturing fee.²⁰ An issuance fee of \$10 per vehicle is charged when the size of a fleet is increased. The license plate manufacturing fee is included in the issuance fee. If a recipient of fleet vehicle plates fails to renew or initially register vehicles in the fleet within 30 days, DHSMV may impose a penalty equal to the greater of \$50 or 10 percent of the delinquent taxes due.²¹ If the delinquent taxes are more than 30 days past due, DHSMV may levy an additional penalty of the greater of \$50 or 10 percent of the delinquent taxes due up to the total amount of taxes due.

¹⁰ Section 320.131(2), F.S.

¹¹ Section 320.131(4)(a), F.S.

¹² Section 320.131(4)(b), F.S.

¹³ Section 320.131(7), F.S.

¹⁴ Section 320.131(8), F.S.

¹⁵ Section 320.131(9)(a), F.S.

¹⁶ Section 320.131(9)(b), F.S.

¹⁷ Section 320.131(9)(c), F.S.

¹⁸ Section 320.0657(1), F.S.

¹⁹ Section 320.0657(2)(a), F.S.

²⁰ Section 320.0657(2)(c), F.S. The license plate manufacturing fee is the greater of \$1.50 or the actual cost of producing the plate.

²¹ Section 320.0657(3), F.S.

Fleet license plates must have a distinctive color and have the word "Fleet" printed at the bottom.²² The operators of fleet vehicles are not required to maintain a copy of the certificate of registration in the vehicle and fleet vehicle plates do not require an annual validation sticker.²³ Recipients of fleet license plates must provide an annual reconciliation with DHSMV and must surrender all unassigned plates.²⁴

Temporary tags are not currently authorized for fleet vehicles.

Effect of Proposed Changes

The bill authorizes DHSMV to partner with county tax collectors to issue temporary tags to fleet companies awaiting permanent registration and title. A fleet company must have a minimum of 3,500 fleet vehicles registered in the state as fleet vehicles and enter into a memorandum of understanding with DHSMV to receive temporary tags. DHSMV may issue up to 50 temporary tags to an eligible fleet company. Each temporary tag is assigned to one vehicle and becomes invalid upon receipt of the vehicle's permanent license plate and registration. DHSMV may terminate the memorandum of understanding upon a finding that a fleet company has misused a temporary tag.

B. SECTION DIRECTORY:

Section 1: Amends s. 320.131, F.S. authorizing the DHSMV to issue temporary tags for fleet vehicles.

Section 2: Provides that the bill shall take effect October 1, 2018.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

There is currently a \$2 temporary tag fee for certain vehicles, whose revenues are divided evenly between the Highway Safety Operating Trust Fund and the Brain and Spinal Cord Injury Program Trust Fund. To the extent that fleet companies choose to utilize this new authority to purchase temporary tags for their vehicles, there may be an indeterminate, positive fiscal impact on the Highway Safety Operating Trust Fund and the Brain and Spinal Cord Injury Program Trust Fund.

2. Expenditures:

DHSMV estimates that 87 hours, or the equivalent of \$3,045 in FTE and contracted resources will be required in order to implement the bill. This cost can be absorbed within existing resources²⁵.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

County tax collectors are currently authorized to collect a \$3 surcharge for each temporary tag issuance. To the extent that fleet companies choose to utilize this new authority to purchase temporary tags for their vehicles, there may be an indeterminate, positive fiscal impact on local government revenues.

2. Expenditures:

²² Section 320.0657(2)(b), F.S.

²³ Section 320.0657(2)(c), F.S.

²⁴ Section 320.0657(4), F.S.

²⁵ Email from DHSMV dated February 1, 2018, on file with the Transportation and Tourism Appropriations Subcommittee.

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 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 rulemaking authority or require executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

26 fleet company must have a minimum of 3,500 fleet vehicles
 27 registered in this state that qualify to be registered as fleet
 28 vehicles pursuant to s. 320.0657.

29 (c) The department may issue up to 50 temporary tags at a
 30 time to an eligible fleet company if requested by such company.

31 (d) A temporary tag issued under this subsection is for
 32 exclusive use for a vehicle purchased for the company's fleet
 33 and may not be used on any other vehicle. Each temporary tag may
 34 be used by only one vehicle, and each vehicle may use only one
 35 temporary tag.

36 (e) Upon issuance of the vehicle's permanent license plate
 37 and registration, the temporary tag is invalid and must be
 38 removed from the vehicle and destroyed.

39 (f) Upon a finding by the department that a temporary tag
 40 has been misused by a fleet company under this subsection, the
 41 department may terminate the memorandum of understanding with
 42 the company, invalidate all temporary tags issued to the company
 43 under this subsection, and require such company to return any
 44 unused temporary tags.


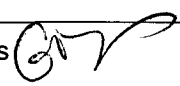
45 Section 2. This act shall take effect October 1, 2018.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1319 Voter Registration Maintenance

SPONSOR(S): Mariano

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

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Oversight, Transparency & Administration Subcommittee	13 Y, 0 N	Toliver	Harrington
2) Transportation & Tourism Appropriations Subcommittee		Cobb 	Davis 
3) Public Integrity & Ethics Committee			

SUMMARY ANALYSIS

The Department of State (Department) is headed by the Secretary of State (Secretary), who serves as Florida's chief election officer. Current law charges the Secretary with a variety of responsibilities in his or her capacity as Florida's chief election officer, including creating and administering a statewide voter registration system. The voter registration system (system) is the official list of registered voters in the state and contains the name and registration information of every legally registered voter in Florida. Voter registration officials, such as supervisors of elections (supervisors), are provided secure access to the system and may update the voter registration information contained in the system. Current law requires supervisors to conduct voter registration list maintenance at least every odd-numbered year to protect the integrity of the electoral process. To help ensure the accuracy of the system, certain state and local agencies, such as the Department of Highway Safety and Motor Vehicles (DHSMV), are required to submit data to the Department to verify the eligibility of registered voters.

The bill requires each supervisor to enter into an agreement with the clerk of the circuit court in their jurisdiction to receive, monthly, change-of-address information and a list of potential jurors who identified themselves as aliens. The bill also requires DHSMV to furnish to the Department a list of persons who identified themselves as aliens. The Department must compare the list received from DHSMV with the information in the system. If the Department determines that a registered voter in the system is an alien, it must provide the name of that voter to the supervisor of the county in which that voter is registered.

The bill will result in an indeterminate, but insignificant fiscal impact on state and local governments. See Fiscal Comments.

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

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Background

Department of State

The Department of State (Department)¹ is headed by the Secretary of State (Secretary) who serves as Florida's chief election officer. The Secretary is charged with a variety of responsibilities in his or her capacity as Florida's chief election officer, including obtaining and maintaining uniformity in the interpretation and implementation of the election laws; providing uniform standards for the proper and equitable implementation of the registration laws; providing technical assistance to the supervisors of elections (supervisors) on voter education, election personnel training services, and voting systems; and creating and administering a statewide voter registration system as required by the Help America Vote Act of 2002.²

Voter Registration System

The Secretary implements, operates, and maintains the statewide voter registration system (system).³ The system is the official list of registered voters in the state and is required to contain the name and registration information of every legally registered voter in Florida.⁴ Voter registration officials, such as supervisors, are provided secure access to the system and may update the voter registration information contained in the system.⁵ The Department is prohibited from contracting with any other entity for the operation of the system.⁶

Voter Eligibility

Each supervisor is charged with ensuring that each application for voter registration is processed in accordance with the law.⁷ The Florida Election Code sets forth the reasons that a supervisor may deem a voter registration applicant ineligible.⁸ An applicant may be ineligible based on any of the following:

- Failure to complete the voter registration application;
- The applicant is deceased;
- The applicant has been convicted of a felony;
- The applicant has been adjudicated mentally incapacitated;
- The applicant is not 18 years old;
- The applicant is not a United States Citizen;
- The applicant is a fictitious citizen;
- The applicant has provided an address that is not his or her legal residence; or
- The applicant has provided a driver license number, Florida identification number, or the last four digits of a social security number that is not verifiable by the Department.⁹

Voter Registration List Maintenance

Once registered, a voter may only be removed from the system in certain limited circumstances: the voter is deceased, has been convicted of a felony or judged mentally incapacitated, pursuant to a prescribed registration list maintenance activity, or he or she has requested in writing to be removed.¹⁰

¹ Section 20.10(1), F.S.

² Section 97.012, F.S.

³ Section 98.035(1), F.S.

⁴ Section 98.035(2), F.S.

⁵ *Id.*

⁶ Section 98.035(3), F.S.

⁷ Section 98.045(1), F.S.

⁸ *Id.*

⁹ Section 98.045(1)(a)-(i), F.S.

¹⁰ Section 98.045(2)(a), F.S.

Supervisor Voter Registration List Maintenance Activities

Each supervisor, to protect the integrity of the electoral process, is required to conduct voter registration list maintenance at least every odd-numbered year.¹¹ The program must be completed at least 90 days before any federal election, and all actions must be entered, tracked, and maintained in the system.¹² The program must be uniform, nondiscriminatory,¹³ and in compliance with federal election law.¹⁴ Each supervisor must incorporate one of the following methods in his or her list maintenance program:

- Use of change of address information given by the United States Postal Service through its licensees to identify registered voters whose addresses might have changed;
- Use of change of address information that is known from returned nonforwardable return-if-undeliverable mail sent to all registered voters in the county; or
- Use of change of address information that is known from returned nonforwardable return-if-undeliverable address confirmation requests mailed to every registered voter who has not voted in the last two years and who did not make any written request to update his or her registration record during that two-year period.¹⁵

If a supervisor receives change of address information from one of the methods listed above, jury notices returned to the courts and signed by the voter, the Department of Highway Safety and Motor Vehicles (DHSMV), or from other sources which reveal that a registered voter's legal address might have changed, the supervisor must change the registration records to reflect the new address.¹⁶ The supervisor must then send the registered voter an address change notice.¹⁷ If the supervisor receives information that a registered voter has moved his or her legal residence outside the state, the supervisor must send an address confirmation final notice to the registered voter at his or her new address.¹⁸ Voters who are sent an address confirmation final notice who do not return the prepaid, preaddressed return form within 30 days or for whom the notice is returned as undeliverable are designated as inactive.¹⁹ If the voter does not update his or her information by the second general election²⁰ after being designated as inactive, the voter's name shall be removed from the system.²¹

Department Voter Registration List Maintenance Activities

The Department is required to perform voter registration list maintenance activities to ensure the accuracy of the system and records the system holds.²² Specifically, the Department is required to identify duplicate registrations,²³ deceased persons,²⁴ persons adjudicated to be mentally incapacitated,²⁵ persons convicted of a felony,²⁶ and other ineligible voters contained in the system.²⁷

¹¹ Section 98.065(3), F.S.

¹² Section 98.065(3), F.S.

¹³ The term "nondiscriminatory" applies to, and includes persons with disabilities. Section 98.065(1), F.S.

¹⁴ Section 98.065(1), F.S.

¹⁵ Section 98.065(2), F.S.

¹⁶ Section 98.065(4)(a), F.S.

¹⁷ *Id.*

¹⁸ Section 98.065(4)(b), F.S.

¹⁹ Section 98.065(4)(c), F.S.

²⁰ The Florida Constitution requires that a "general election" shall be held in each county on the first Tuesday after the first Monday in November of each even-numbered year. FLA. CONST., art. VI, s. 5; *see also* s. 97.021(16), F.S.

²¹ Section 98.065(4)(c), F.S.

²² Section 98.075(1), F.S.

²³ Section 98.075(2), F.S.

²⁴ Section 98.075(3), F.S.

²⁵ Section 98.075(4), F.S.

²⁶ Section 98.075(5), F.S.

²⁷ Section 98.075(6), F.S.

Duty of Agencies to Furnish Information to the Department

Certain agencies are required to submit information to the Department in order to help identify ineligible voters.²⁸ The following chart lists the agencies required to submit information, the information required, and the frequency of the submissions.

Agency	Frequency	Information Submitted
Department of Health	Monthly	List containing the name, address, date of birth, social security number, race, and sex of each deceased person 17 years of age or older
Clerk of the Circuit Court	Monthly	<ul style="list-style-type: none"> • List of persons adjudicated mentally incapacitated with respect to voting during the preceding calendar month; • List of those persons whose mental capacity with respect to voting has been restored during the preceding calendar month; • List of those persons who have returned signed jury notices during the preceding months to the clerk of the circuit court indicating a change of address
Department of Law Enforcement	In a time and manner that enables the Department to meet its obligations under state and federal law	The identity of those persons who have been convicted of a felony who appear in the voter registration records supplied by the system
Florida Commission on Offender Review	Bimonthly	The identity of those persons granted clemency in the preceding month or any updates to prior records which have occurred in the preceding month
Department of Corrections	In a time and a manner that enables the Department to identify registered voters who are convicted felons and to meet its obligations under state and federal law	The identity of those persons who have been convicted of a felony and committed to its custody or placed on community supervision
Department of Highway Safety and Motor Vehicles	Monthly	List of those persons whose names have been removed from the driver license database because they have been licensed in another state

Voter Registration Ineligibility Determinations

Currently, the Department identifies ineligible voters contained in the system,²⁹ the supervisor³⁰ with jurisdiction of that particular voter is then notified of this finding and, after notifying the voter and giving him or her a chance to respond,³¹ makes a final determination regarding the voter's eligibility.³² A person determined to be ineligible by a supervisor may appeal the determination in circuit court.³³

²⁸ Section 98.093, F.S.

²⁹ Section 98.075, F.S.

³⁰ Supervisors are also able to remove the name of a voter based on evidence without the Department having notified them in some circumstances. Section 98.075, F.S.

³¹ No notification is given to those determined to be deceased. Section 98.075(3), F.S.

³² Section 98.075(7), F.S.

³³ Section 98.0755, F.S.

Department of Highway Safety and Motor Vehicles

DHSMV requires proof of identity whenever a person applies for a driver license or an identification card.³⁴ If the applicant is not a U.S. citizen, current law requires that the applicant submit a “valid, unexpired alien registration receipt card (green card)” to satisfy the requirement that he or she provide proof of identity.³⁵

Clerks of the Circuit Court

A juror in Florida is required to be at least 18 years of age, a citizen of the United States, and a legal resident of the state and of their respective county.³⁶ Each juror must either possess a driver license or identification card issued by DHSMV or have signed an affidavit attesting that he or she meets the qualifications to be a juror.³⁷ Each clerk of circuit court is required to generate a set of juror candidate lists from which potential jurors will be selected.³⁸ The list is derived from two sources: persons who have submitted an affidavit swearing that they meet the qualifications to be a juror, and those persons who have a driver license or identification card issued by DHSMV.³⁹ To obtain the latter, DHSMV is required to submit, on a quarterly basis, to the clerk of the circuit of each county a list of names of persons in that county, who are at least 18 years of age, citizens of the United States, and legal residents of Florida.⁴⁰

Effect of the Bill

The bill requires each supervisor to enter into an agreement with the clerk of the circuit court in their jurisdiction to receive, monthly, change-of-address information and a list of potential jurors who identified themselves as aliens. The bill also requires DHSMV to furnish to the Department a list of persons who identified themselves as aliens. The Department must compare the list received from DHSMV with the information in the system. If the Department determines that a registered voter in the system is an alien, it must provide the name of that voter to the supervisor of the county in which that voter is registered.

B. SECTION DIRECTORY:

Section 1 amends s. 98.065, F.S., relating to registration list maintenance programs.

Section 2 amends s. 98.093, F.S., relating to the duty of officials to furnish information to the Department.

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:

³⁴ Sections 322.051 and 322.08, F.S.

³⁵ Sections 322.051(1)(a)3.e. and 322.08(2)(c)5., F.S.

³⁶ Section 40.01, F.S.

³⁷ *Id.*

³⁸ Section 40.011(1), F.S.

³⁹ Section 40.011, F.S.

⁴⁰ Section 40.011(2), F.S.

According to DHSMV, the bill may result in an indeterminate, but insignificant fiscal impact due to the modification of the monthly report currently provided to DOS⁴¹. This cost can be absorbed within existing resources. DOS has not provided an estimated fiscal impact as requested therefore it is assumed that any workload costs can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

The bill may have an indeterminate, but likely insignificant workload impact on local governments. Clerks of Court will now have to provide information to supervisors on a monthly basis.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill appears to be exempt from the requirements of Art. VII, s. 18 of the Florida Constitution because it is a law concerning elections.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.

⁴¹ Email from DHSMV dated February 1, 2018, on file with the Transportation and Tourism Appropriations Subcommittee.
STORAGE NAME: h1319b.TTA.DOCX
DATE: 1/24/2018

1 A bill to be entitled
 2 An act relating to voter registration maintenance;
 3 amending s. 98.065, F.S.; requiring supervisors of
 4 elections to enter into agreements with clerks of the
 5 circuit courts to receive specified information;
 6 amending s. 98.093, F.S.; requiring the Department of
 7 Highway Safety and Motor Vehicles to furnish monthly
 8 to the Department of State a list of persons who
 9 identified themselves as aliens; requiring the
 10 Department of State to compare such list with the
 11 statewide voter registration system and provide the
 12 names of registered voters who are aliens to the
 13 supervisor of elections of the county in which the
 14 voter is registered; providing an effective date.

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

17
 18 Section 1. Paragraphs (a), (b), and (c) of subsection (4)
 19 of section 98.065, Florida Statutes, are redesignated as
 20 paragraphs (b), (c), and (d), respectively, and a new paragraph
 21 (a) is added to that subsection to read:

22 98.065 Registration list maintenance programs.—

23 (4)

24 (a) The supervisor shall enter into an agreement with the
 25 local clerk of the circuit court to receive monthly from such

26 clerk change-of-address information and a list of potential
 27 jurors who identified themselves as aliens, as defined in s.
 28 327.02(2).

29 Section 2. Paragraph (h) is added to subsection (2) of
 30 section 98.093, Florida Statutes, to read:

31 98.093 Duty of officials to furnish information relating
 32 to deceased persons, persons adjudicated mentally incapacitated,
 33 ~~and~~ persons convicted of a felony, and persons identified as
 34 aliens.-

35 (2) To the maximum extent feasible, state and local
 36 government agencies shall facilitate provision of information
 37 and access to data to the department, including, but not limited
 38 to, databases that contain reliable criminal records and records
 39 of deceased persons. State and local government agencies that
 40 provide such data shall do so without charge if the direct cost
 41 incurred by those agencies is not significant.

42 (h) The Department of Highway Safety and Motor Vehicles
 43 shall furnish monthly to the department a list of persons who
 44 identified themselves as aliens, as defined in s. 327.02(2). The
 45 department shall compare the list with the statewide voter
 46 registration system and, if the department determines that a
 47 registered voter is an alien, provide the name of such voter to
 48 the supervisor of elections of the county in which the voter is
 49 registered.


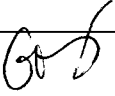
50 Section 3. This act shall take effect July 1, 2018.

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 1359 License Plates

SPONSOR(S): Transportation & Infrastructure Subcommittee; Grant, Mariano and others

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

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

SUMMARY ANALYSIS

There are over 120 specialty license plates available to any motor vehicle owner or lessee who is willing pay the 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. DHSMV must discontinue the issuance of an approved specialty license plate if it fails to meet certain requirements.

The bill establishes a cap at 125 specialty license plates and provides a process for the discontinuation of low performing plates and the addition of new plates. It provides direction to DHSMV on the discontinuance of specialty license plates and establishes a timeframe of 180 days to distribute the remaining annual use fees held or collected by DHSMV. Also, the bill authorizes a person with a discontinued specialty license plate to keep the plate for the remainder of the 10-year license plate replacement period.

Effective July 1, 2021, the bill requires DHSMV to discontinue the issuance of any specialty license plate where the number of valid registrations falls below 3,000, instead of the current 1,000 plate threshold. The bill also provides additional exceptions to the policy.

The bill authorizes DHSMV to issue specialty license plates for fleet vehicles and motor vehicle dealer vehicles.

The bill provides that certain provisions related to replacement license plate fees do not apply to vehicles registered under the International Registration Plan.

The bill authorizes the establishment of a specialty license plate for Auburn University and authorizes revenues from such plates to be expended outside of Florida.

The bill discontinues the following specialty license plates: American Red Cross, Donate Organs-Pass It On, St. Johns River, and Hispanic Achievers.

The bill amends certain provisions regarding the following existing specialty license plates: University of Central Florida, Special Olympics Florida, Invest in Children, and Fallen Law Enforcement Officer.

The bill creates the following new specialty license plates: Donate Life Florida, Florida State Beekeepers Association, Rotary, Beat Childhood Cancer, Florida Bay Forever, and Bonefish and Tarpon Trust.

The bill requires DHSMV to conduct an audit, every three years, of specialty license plate recipient organizations that are not subject to the Florida Single Audit Act.

Additionally, the bill creates the Purple Heart Motorcycle and Bronze Star special license plates.

According to DHSMV, the bill will likely have a negative, but insignificant fiscal impact on its expenditures which can be absorbed within existing resources. The bill will also have a significant, negative fiscal impact on Highway Safety Operating Trust Fund revenues; but a positive fiscal impact on other state trust fund revenues. These impacts are indeterminate and cannot be quantified at this time. See Fiscal Analysis section for details.

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

STORAGE NAME: h1359b.TTA.DOCX

DATE: 1/24/2018

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Specialty License Plates in General

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 There is currently no limit on the number of specialty license plates that the Department of Highway Safety and Motor Vehicles (DHSMV) may issue nor the number of specialty license plates that the Legislature may approve.

Fleet/Dealer Specialty License Plates

Current Situation

Section 320.06, F.S., provides for motor vehicle registration certificates, license plates, and validation stickers. Section 320.06(3)(a), F.S., provides requirements for the design of various license plates. The statute requires dealer license plates to be imprinted with the word "Florida" at the top and the word "Dealer" at the bottom.

Section 320.0657, F.S. provides for permanent registration for fleet license plates. The statute defines "fleet" as nonapportioned motor vehicles owned or leased by a company and used for business purposes.² 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.³

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.⁴

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.⁵

Section 320.08, F.S., provides the license taxes for various types of motor vehicles. The statute provides that the fee for a dealer license plate is \$17.⁶

Proposed Changes

The bill authorizes "Dealer" and "Fleet" specialty license plates.

The bill amends s. 320.06(3)(a), F.S., providing that a dealer license plate is not required to say "dealer" at the bottom if it is a specialty license plate.

The bill amends s. 320.0657(2)(b), F.S., authorizing fleet specialty license plates. The bill provides that for the additional annual use fee for the specific specialty license plate, fleet companies may purchase

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 11, 2018).

² Section 320.0657(1), F.S.

³ Email from DHSMV, January 23, 2018 (Copy on file with Transportation & Infrastructure Subcommittee).

⁴ Section 320.0657(2)(a), F.S.

⁵ Section 320.0657(2)(b), F.S.

⁶ Section 320.08(12), F.S.

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 amends s. 320.08(12), F.S., providing similar requirements regarding dealer specialty license plates.

The bill creates s. 320.08056(2)(b), F.S., providing that DHSMV 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 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.

Replacement License Plates

Current Situation

Section 320.0607, F.S., provides for replacement license plates, validation decals, or mobile home stickers. Section 320.0607(5), F.S., provides that upon the issuance of an original license plate, the applicant must pay a fee of \$28 to be deposited in the Highway Safety Operating Trust Fund.⁷

The International Registration Plan is a cooperative registration agreement among all of the states in the continental United States, the District of Columbia, and certain Canadian provinces. The IRP allows a carrier to register once for all the jurisdictions, rather than dealing with each jurisdiction separately.

Proposed Changes

The bill amends s. 320.0607, F.S., providing that beginning October 1, 2019, s. 320.0607(5), F.S., does not apply to vehicles registered under the International Registration Plan.

Requirements for the Establishment of Specialty License Plates

Current Situation

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 the specialty license plate becomes a law.⁸

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 the specialty license plate. The \$5 processing fee,⁹ the service charge and branch fee,¹⁰ and the annual use fee for the specialty license plate¹¹ are charged for the voucher. All other applicable fees are charged at the time the license plate is issued.¹²

Within 24 months after establishing a presale specialty license plate voucher, the approved specialty license plate organization must record with DHSMV a minimum of 1,000 voucher sales before manufacture of the license plate may commence. If, at the conclusion of the 24-month presale period, the minimum sales requirement is not met, the specialty plate is deauthorized and DHSMV discontinues the plate's development and the issuance of the presale vouchers. Upon the license plate's deauthorization, a purchaser of the license plate voucher may use the annual use fee collected

⁷ Section 320.0607(5), F.S.

⁸ Section 320.08053(1), F.S.

⁹ The processing fee is prescribed in s. 320.08056, F.S.

¹⁰ Service charges and branch fees are prescribed in s. 320.04, F.S.

¹¹ The annual use fees for each specialty license plate are prescribed in s. 320.8056, F.S.

¹² Section 320.08053(2)(a), F.S.

as a credit towards any other specialty license plate or apply for a refund on a DHSMV-prescribed form.¹³

Proposed Changes

The bill creates s. 320.08053(3)(a), F.S., providing that if the Legislature has approved 125 or more specialty license plates, DHSMV may not make any new specialty license plates available for design, presale, or issuance until a sufficient number of plates are discontinued¹⁴ such that the number of plates being issued is reduced to fewer than 125.

The bill creates s. 320.08053(3)(b), F.S., providing that new specialty license plates that have been approved by law but are awaiting issuance are issued in the order they appear in s. 320.08056(4), F.S.,¹⁵ provided that the plates have met the presale requirement and all other provisions of s. 320.08053, F.S. If the next awaiting specialty license plates has not met the presale requirement, DHSMV must proceed in the order provided in s. 320.08056(4), F.S., to identify the next qualified specialty license plate that has met the presale requirement. DHSMV must cycle through the list in statutory order.

Specialty License Plates

Current Situation

Section 320.08056, F.S., relates to specialty license plates. DHSMV is responsible for developing the specialty license plates authorized in s. 320.08053, F.S.¹⁶

DHSMV may 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,¹⁷ or a truck tractor, upon request and payment of the appropriate license tax and fees.¹⁸

Each request for a specialty license plate must annually be made to DHSMV or its authorized agent¹⁹ accompanied by the following tax and fees:

- The vehicles required license tax.²⁰
- A processing fee of \$5.²¹
- A license plate fee.²²
- A license plate annual use fee as required for the specialty license plate.²³

A request for a specialty license plate may be made any time during a 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 at 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

¹³ Section 320.08053(2)(b), F.S.

¹⁴ Specialty license plates will be discontinued pursuant to s. 320.08056(8), F.S.

¹⁵ Section 320.08056(4), F.S., lists specific specialty license plates and their annual use fees.

¹⁶ Section 320.08056(1), F.S.

¹⁷ Section 320.0706, F.S., requires certain commercial trucks to display two license plates.

¹⁸ Section 320.08056(2), F.S.

¹⁹ DHSMV's authorized agents are the county tax collectors.

²⁰ Motor vehicle license taxes are set forth in s. 320.08, F.S.

²¹ The \$5 processing fee is deposited into the Highway Safety Operating Trust Fund.

²² 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.

²³ Section 320.08056(3), F.S.

specialty license plate to the replacement vehicle.²⁴ The annual use fee or processing fee may not be refunded.²⁵

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 otherwise of the same material and size as standard license plates issued for any registration period. A specialty license plate may bear an appropriate slogan, emblem, or logo in a size and placement that conforms to DHSMV's design specifications.²⁶

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 the DHSMV, costs associated with reviewing each organization's compliance with audit and attestation requirements²⁷ 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 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.²⁸

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 license plate registrations falls below 1,000 plates. This does not apply to collegiate license plates.^{29 30}

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 that are authorized to be funded from the annual use fee proceeds, if the organization does not meet the presale requirements,³¹ or pursuant to an organizational recipient's request. Organizations must notify DHSMV immediately to stop all warrants for plate sales if any of the above conditions exist and must meet the requirements of s. 320.08062, F.S.,³² for any period of operation during a fiscal year.³³

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 plates from DHSMV at cost.³⁴

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 nor for general or administrative expenses, except as authorized by s. 320.08058, F.S., or to pay the cost of the audit or report required by s. 320.08062(1), F.S. The fees 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 United States Armed Forces and veterans-related specialty license plates.³⁵

²⁴ This is in accordance with s. 320.0609, F.S.

²⁵ Section 320.08056(5), F.S.

²⁶ Section 320.08056(6), F.S.

²⁷ Specialty license plate audit and attestations requirements are in s. 320.08062, F.S.

²⁸ Section 320.08056(7), F.S.

²⁹ Collegiate license plates are established under s. 320.08058(3), F.S.

³⁰ Section 320.08056(8)(a), F.S.

³¹ Presale requirements are prescribed in s. 320.08053, F.S.

³² Section 320.08062, F.S., requires audits and attestations for specialty license plates.

³³ Section 320.08056(8)(b), F.S.

³⁴ Section 320.08056(9), F.S.

³⁵ Section 320.08056(10)(a), F.S.

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

- 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.³⁶

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 that is responsible for the sale and distribution of specialty license plates, or an elected member or employee of the Legislature.³⁷

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.³⁸

Proposed Changes

The bill creates s. 320.08056(8)(c), F.S., providing that a vehicle owner or lessee issued a specialty license plate that has been discontinued by DHSMV may keep the discontinued specialty license plate for the remainder of the 10-year license plate replacement period and must 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.

The bill creates s. 320.08056(8)(d), F.S., providing that if DHSMV discontinues issuance of a specialty license plate, all annual use fees held or collected by DHSMV 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 to be distributed to the appropriate organization or organizations.³⁹

The bill creates s. 320.08056(8)(e), F.S., providing that if an organization that is the intended recipient of specialty license plate funds no longer exists, DHSMV must deposit any undistributed funds into the Highway Safety Operating Trust Fund.

The bill creates s. 320.08056(8)(f), F.S., providing that on January 1 of each year, DHSMV must discontinue the specialty license plate with the fewest number of plates in circulation. DHSMV must mail a warning letter to the sponsoring organization of the 10 percent of specialty license plates with the lowest number of valid, active registrations as of December 1, of each year.

The bill amends s. 320.08056(8)(a), F.S., providing that effective October 1, 2021, DHSMV must 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. In addition to the existing exemption from this requirement for collegiate license plates, the bill provides exceptions

³⁶ Section 320.08056(10)(b), F.S.

³⁷ Section 320.08056(11), F.S.

³⁸ Section 320.08056(12), F.S.

³⁹ Distributions to organizations are pursuant to s. 320.08058, F.S.

for institutions in and entities of the State University System, specialty license plates with statutory eligibility limitations for purchase, or Florida Professional Sports Team license plates.⁴⁰

The bill amends s. 320.08056(10)(a), F.S., authorizing specialty license plate fees for out of state college or university specialty license plates.

Discontinued Specialty License Plates

Current Situation

As previously stated, specialty license plates may be discontinued if the plate does not meet the 1,000 plate minimum sales threshold, the recipient organization ceases to exist, or it does not meet its statutorily required presale requirements.

Proposed Changes

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.

Changes to Existing Specialty License Plates

Collegiate License Plates

Current Situation

Section 320.08058(3), F.S., creates the collegiate specialty license plates with an annual use fee of \$25. DHSMV must develop a collegiate license plate for state and independent universities domiciled in this state. However, any collegiate license plate created or established after October 1, 2002, must comply with s. 320.08053, F.S.,⁴¹ and be specifically authorized by an act of the Legislature. Collegiate license plates must bear DHSMV approved colors and design as appropriate for each state and independent university. The word "Florida" is stamped across the bottom of the plate in small letters.⁴²

The funds from collegiate license plates may only be used only for academic enhancement, including scholarships and private fundraising activities.⁴³

Proposed Changes

The bill amends s. 320.08058(3)(a), F.S., requiring the University of Central Florida specialty license plate to have "2017 National Champions" stamped across the bottom of the plate.

Special Olympics Florida License Plate

Current Situation

Section 320.08058(7), F.S., creates the Special Olympics Florida license plate with an annual use fee of \$15. The 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.⁴⁴

Proposed Changes

The bill amends s. 320.08058(7)(a), F.S., redesigning 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.

⁴⁰ Florida Professional Sports Team license plates are established in s. 320.08058(9), F.S.

⁴¹ Section 320.08053, F.S., provides the statutory requirements for creating a specialty license plate.

⁴² Section 320.08058(3)(a), F.S.

⁴³ Section 320.08058(3)(b), F.S.

⁴⁴ Section 320.08058(7)(a), F.S.

Invest in Children License Plate

Current Situation

Section 320.08058(11), F.S., creates the Invest in Children license plate with an annual use fee of \$20.⁴⁵ The proceeds of the Invest in Children license plate annual use fee are deposited into the Juvenile Crime Prevention and Early Intervention Trust Fund within the Department of Juvenile Justice (DJJ). Based on the recommendations of the juvenile justice councils, DJJ uses the proceeds to fund programs and services designed to prevent juvenile delinquency. DJJ must allocate moneys for programs and services within each county based on that county's proportionate share of the license plate annual use fee collected in that county.⁴⁶

According to DJJ, specialty license plate proceeds collected by counties range from \$20 to \$30,000, and the statute requires funds to provide service within the county based upon the county's proportionate share of proceeds. When funds are available, counties apply for funding in a manner similar to grant distributions. Due to this distribution formula, much of the funding cannot be distributed despite a statewide need.⁴⁷

Proposed Changes

The bill amends s. 320.08058(11)(b), F.S., removing the requirement for DJJ to allocate specialty license plate moneys for programs and services within each county based on that county's proportionate share of license plate annual use fees collect in that county. This will allow DJJ to collectively use these funds in a way to address prevention programming needs across the state regardless of a particular county's proportional share of the specialty license plate revenues.⁴⁸

Fallen Law Enforcement Officer License Plate

Current 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 shall be used for the operation of the Police and Kids Foundation, Inc.

Based in Brooksville, Florida, the Police and Kids Foundation, Inc., is a non-profit corporation with the objective of providing funding for responding police officers to help a child in need. This assistance may include items such as food, clothing, and the replacement of lost or damaged property. The foundation also created a scholarship for at least one senior student at the Pinellas Park High School Criminal Justice Academy.⁴⁹

Proposed Changes

The bill clarifies the distribution of the proceeds from the Fallen Law Enforcement Officer specialty license plate. The bill keeps the maximum of 10 percent of the proceeds for marketing the license plate. It provides that the remaining proceeds are to be used for the operations, activities, programs, and projects of the Police and Kids Foundation, Inc.

⁴⁵ Section 320.08058(11)(a), F.S.

⁴⁶ Section 320.08058(11)(b), F.S.

⁴⁷ Department of Juvenile Justice Modify Invest In Children Disbursement. (Copy on file with Transportation & Infrastructure Subcommittee).

⁴⁸ *Id.*

⁴⁹ <http://www.policeandkids.com/about/> (Last visited January 12, 2018).

New Specialty License Plates

Auburn University License Plate

Current Situation

Florida has not authorized a specialty license plate for any college or university located outside of Florida.

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.⁵⁰ The Tampa Bay Auburn Club, Inc., is an active corporation registered with the Department of State.

Proposed Changes

The bill creates the Auburn University specialty license plate with a fee of \$50. The license plate must bear a DHSMV approved color and design. The word "Florida" will appear at the top of the plate and "War Eagle" will appear at the bottom of the plate.

The bill provides that the Tampa Bay Auburn Club is the lead club on behalf of the state's Auburn clubs. The annual use fees are distributed to the Tampa Bay Auburn Club, along with statistics on sales of the license plate tabulated by county. The Tampa Bay Auburn Club must distribute to each of the state's Auburn clubs on a pro-rata basis the proceeds received for sales in the regions within the respective club's area for the purpose of awarding scholarships to Florida residents attending Auburn University. Students receiving these scholarships are required to be eligible for the Florida Bright Futures Scholarship Program⁵¹ and are required to use the scholarship funds for tuition and other expenses related to attending Auburn University.

Donate Life Florida License Plate

Current Situation

Donate Life Florida is a non-profit organization contracted by the State of Florida, Agency for Health Care Administration to create the state's organ, tissue, and eye donor registry.⁵²

Proposed Changes

The bill creates the Donate Life Florida license plate with an annual use fee of \$25. The annual use fees are distributed to Donate Life Florida, which may use up to 10 percent of the proceeds for marketing and administrative costs associated with the plate. The remainder of the 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.

The new plate will display the words "Florida" must appear at the top of the plate, and the words "Donors Save Lives" at the bottom of the plate.

Florida State Beekeepers Association License Plate

Current 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:

⁵⁰ <http://tampabayauburnclub.com/> (Last visited January 12, 2018).

⁵¹ The Florida Bright Futures Scholarship Program is created pursuant to s. 1009.531, F.S.

⁵² <https://www.donatelifeflorida.org/content/about/> (Last visited January 12, 2018).

- To provide resources for the improvement of beekeeping by using proven techniques and procedures in the management of honey bees and to share this knowledge with everyone interested in the art of beekeeping.
- To promote the development of practical beekeeping methods in the state of Florida.
- To act in the interest of Florida beekeepers in advocating for and carrying on statewide beekeeping affairs.
- To act as a medium for and to aid in cooperative and mutual beekeeping methods.
- To act as the representative of the Florida beekeepers in state and national beekeeping affairs.⁵³

Proposed Changes

The bill creates the Florida State Beekeepers specialty license plate with a fee of \$25. The license plate must bear a DHSMV approved color and design. The word “Florida” will appear at the top of the plate and “Save the Bees” will appear at the bottom of the plate.

The annual use fees from the sale of the Florida State Beekeepers license plate are to be distributed to the Florida States Beekeepers Association, which may use up to 10 percent of the annual use fees for administrative, promotional, and marketing cost of the plate. The remainder of the funds 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

Current 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.⁵⁴

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.⁵⁵

Proposed Changes

The bill creates the Rotary license plate with an annual use fee of \$25. The annual use fees are distributed to the Community Foundation of Tampa Bay, Inc., to be distributed as follows:

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

The new plate will display the words “Florida” at the top of the plate and the word “Rotary” at the bottom of the plate. The license plate will also bear the Rotary International wheel emblem.

Beat Childhood Cancer License Plate

Current 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. It is not usually diagnosed until the tumor grows and presents symptoms. The majority of childhood neuroblastoma cases are aggressive, showing survival

⁵³ <http://www.floridabeekeepers.org/> (Last visited January 12, 2018).

⁵⁴ <https://www.rotary.org/en/about-rotary> (Last visited January 12, 2018).

⁵⁵ <https://www.cftampabay.org/about-2/> (Last visited January 12, 2018).

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.⁵⁶ The mission of Beat Nb is to drive neuroblastoma cancer research and to raise awareness of the disease.⁵⁷ The Beat Nb Cancer Foundation, Inc., is an active corporation with the Department of State.

Proposed Changes

The bill creates the Beat Childhood Cancer specialty license plate with a fee of \$25. The license plate must bear a DHSMV approved color and design. The word "Florida" will appear at the top of the plate and "Beat Childhood Cancer" will appear at the bottom of the plate.

The annual use fees from the Beat Childhood Cancer license plate are to be distributed to Beat Nb, Inc., which may use a maximum of 10 percent of the proceeds for administrative costs directly associated with the operation of the corporation and for marketing and promoting the specialty license plate. The remaining proceeds are to be used by the corporation to fund pediatric cancer treatment and research.

Florida Bay Forever License Plate

Current 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 help generate additional revenues to help supplement the park service's budget as well as support educational, interpretive, and historical and scientific research. The FNPA also operates the book stores within the Parks to help generate revenues as well as providing a visitor information services function on behalf of the National Park Service.⁵⁸

Proposed Changes

The bill directs DHSMV to develop a Florida Bay Forever license plate. The plate must bear DHSMV approved colors and design. The word "Florida" must appear at the top of the plate and "Florida Bay Forever" must appear at the bottom of the plate.

The annual use fees from the sale of the Florida Bay Forever license plate are distributed to the Florida National Parks Association, Inc., which may use up to 10 percent of the funds for administrative costs and marketing the plate. The remainder of the funds must be used to supplement the Everglades National Park's budget and to support educational, interpretive, historical, and scientific research relating to the Everglades National Park.

Bonefish and Tarpon Trust License Plate

Current Situation

The Bonefish and Tarpon Trust's (BTT) mission is to conserve and restore bonefish and tarpon fisheries and habitats through research, stewardship, education and advocacy.⁵⁹

Proposed Changes

The bill directs DHSMV to develop a Bonefish and Tarpon Trust license plate with an annual use fee of \$25. The plate must bear DHSMV approved colors and designs. The word "Florida" must appear at the top of the plate, and "Bonefish and Tarpon Trust" must appear at the bottom of the plate.

⁵⁶ <https://beatnb.org/neuroblastoma/> (Last visited January 12, 2018).

⁵⁷ <https://beatnb.org/about-us/> (Last visited January 12, 2018).

⁵⁸ Proposal for Florida Bay Forever Specialty License Plate. (Copy on file with Transportation & Infrastructure Subcommittee).

⁵⁹ <https://www.bonefishtarpontrust.org/btt-mission> (Last visited January 11, 2018).

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. The remainder of the proceeds must be used to conserve and enhance Florida bonefish and tarpon fisheries and their respective environments through stewardship, research, education, and advocacy.

Audits and Attestations

Current Situation

All organizations receiving annual use fee proceeds from DHSMV are responsible for ensuring that proceeds are used in accordance with ss. 320.08056 and 320.08058, F.S.⁶⁰

Any organization not subject to audit pursuant to the Florida Single Audit Act⁶¹ must annually attest, under penalties of perjury, that such proceeds were used in compliance with ss. 320.08056 and 320.08058, F.S.⁶²

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 9 months after the end of the organization's fiscal year.⁶³

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 provisions above. In determining compliance, DHSMV may commission an independent actuarial consultant, or an independent certified public accountant, who has expertise in nonprofit and charitable organizations.⁶⁴

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.⁶⁵

If DHSMV or its designee determines that an organization has not complied with or has failed to use the revenues in accordance with ss. 320.08056 and 320.08058, F.S., 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 that they acknowledge the findings of DHSMV and attest that they have taken corrective action and that the organization will submit to a follow-up review by DHSMV, DHSMV may resume the distribution of revenues.⁶⁶

If an organization fails to comply with DHSMV's recommendations and corrective actions as outlined above, 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.⁶⁷

⁶⁰ Section 320.08062(1)(a), F.S.

⁶¹ Section 215.97, F.S.

⁶² Section 320.08062(1)(b), F.S.

⁶³ Section 320.08062(1)(c), F.S.

⁶⁴ Section 320.08062(2)(a), F.S.

⁶⁵ Section 320.08062(2)(b), F.S.

⁶⁶ Section 320.08062(2)(c), F.S.

⁶⁷ Section 320.08062(2)(d), F.S.

DHSMV or its designee has the authority to examine all records pertaining to the use of funds from the sale of specialty license plates.⁶⁸

Proposed Changes

The bill amends s. 320.08062(1)(b), F.S., requiring 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.

Preserve Vision

Current 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 care, and advocacy for vision and medical eye care health service.⁶⁹ In May 2016, the organization Prevent Blindness Florida changed its name to Preserve Vision Florida.⁷⁰

Section 320.08068, F.S., creates a motorcycle specialty license plate for an annual use fee of \$20. The annual use fee is distributed to The Able Trust as custodial agent. The Able Trust may retain a maximum of 10 percent of the proceeds from the sale of the license plate for administrative costs. The Able Trust distributes the remaining funds as follows:

- Twenty percent to the Brain and Spinal Cord Injury Program Trust Fund.
- Twenty percent to Prevent Blindness Florida.
- Twenty percent to the Blind Services Foundation of Florida.
- Twenty percent to the Florida Endowment Foundation for Vocational Rehabilitation to support the James Patrick Memorial Work Incentive Personal Attendant Services and Employment Assistance Program.
- Twenty percent to the Florida Association of Centers for Independent Living.⁷¹

Proposed Changes

The bill amends s. 320.08068(4)(b), F.S., changing the statutory reference from "Prevent Blindness Florida" to "Preserve Vision Florida" to reflect the change in the organization's name.

Purple Heart Motorcycle Special License Plate

Current 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. There are currently no special license plates authorized for motorcycles.

The Purple Heart is awarded to members of the armed forces of the U.S. 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.⁷²

⁶⁸ Section 320.08062(3), F.S.

⁶⁹ <http://pvfla.org/about-us/> (Last visited January 13, 2018).

⁷⁰ 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 January 23, 2018).

⁷¹ Section 320.08068(4), F.S.

⁷² <http://www.purpleheart.org/HistoryOrder.aspx> (Last visited January 28, 2018).

Proposed Changes

The bill creates s. 320.0875, F.S., creating the Purple Heart motorcycle special license plate. Upon application to DHSMV and payment of the motorcycle license tax⁷³ a resident who owns or leases a motorcycle that is not used for-hire or commercial use is to 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.

Bronze Star Special License Plate

Current Situation

Currently, s. 320.089, F.S., authorizes 21 special license plates available to military service members or veterans for certain types of military service. Examples of service include Veteran of the U.S. Armed Forces, World War II Veteran, and Woman Veterans. 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.

Applicants for special license plates are required to pay the annual license tax⁷⁴ 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.⁷⁵ The first \$100,000 of the revenue generated annually from the issuance of special use plates is deposited into the Grants and Donations Trust Fund under the Veterans' Nursing Homes of Florida Act.⁷⁶ Any additional revenue is deposited into the State Homes for Veterans Trust Fund and used to construct, operate, and maintain domiciliary and nursing homes for veterans.⁷⁷

The Bronze Star Medal is awarded to any person who, after December 6, 1941, while serving in any capacity with the Armed Forces of the United States, distinguishes himself or herself by heroic or meritorious achievement or service, not involving participation in aerial flight.⁷⁸

Proposed Change

The bill amends s. 320.089, F.S., authorizing 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.

⁷³ The license tax is provided in s. 320.08, F.S.,

⁷⁴ The annual license tax is provided in s. 320.08, F.S.

⁷⁵ Section 320.089(2)(a), F.S.

⁷⁶ Section 320.089(1)(b), F.S.

⁷⁷ *Id.*

⁷⁸ <https://www.thebalance.com/bronze-star-medal-3344939> (Last visited January 12, 2018).

Section 2 amends s. 320.0607, F.S., relating to replacement license plates, validation decals, or mobile home stickers.

Section 3 amends s. 320.0657, F.S., relating to permanent registration for fleet license plates.

Section 4 amends s. 320.08, F.S., relating to license taxes.

Section 5 amends s. 320.08053, F.S., relating to the establishment of specialty license plates.

Section 6 amends s. 320.08056, F.S., relating to specialty license plates.

Section 7 amends s. 320.08056, F.S., relating to specialty license plates.

Section 8 amends s. 320.08058, F.S., relating to specialty license plates.

Section 9 amends s. 320.08062, F.S., relating to audits and attestations required; annual use fees of specialty license plates.

Section 10 amends s. 320.08068, F.S., relating to motorcycle specialty license plates.

Section 11 creates s. 320.0875, F.S., creating the purple heart special motorcycle license plate.

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

Section 13 provides that except otherwise expressly provided, the bill takes effect on October 1, 2018.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The bill exempts vehicles registered under the International Registration Plan from replacement license plate fees; this provision will result in an indeterminate, and likely significant negative fiscal impact on the Highway Safety Operating Trust Fund.

Revenues from the sale of the Purple Heart Motorcycle plate and 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 that eligible individuals choose to purchase these plates, there may be an indeterminate, positive fiscal impact on the aforementioned trust funds.

2. Expenditures:

DHSMV estimates that 1,264.5 programming hours, or the equivalent of \$68,078 in FTE and contracted resources will be required to implement the provisions related to creation, discontinuation, and other related costs associated with special license plates and specialty license plates. This cost can be absorbed within existing resources.⁷⁹

Additionally, DHSMV states that 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.

⁷⁹ Email from DHSMV dated February 1, 2018, on file with the Transportation and Tourism Appropriations Subcommittee.
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B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Organizations receiving specialty license plate revenue may see 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 DHSMV's cost.⁸⁰ The University of Central Florida and 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 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:

Section 2 of the bill provides that certain provisions relating to replacement license plates do not apply to vehicles registered under the International Registration Plan. As this provision has appeared in other bills, those bills amend s. 320.06(1)(b), F.S., revising vehicle registration as it relates to vehicles registered in accordance with the International Registration Plan.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On January 23, 2018, the Transportation & Infrastructure Subcommittee adopted a strike-all amendment and reported the bill favorably as a committee substitute. The strike-all amendment:

- Authorized fleet and dealer specialty license plates.

⁸⁰ Section 320.08056(9), F.S.
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- Provided that a specific provision related to replacement license plates does not apply to vehicles registered under the International Registration Plan.
- Revised provisions regarding the order in which new specialty license plates are created.
- Revised provisions regarding notification that a specialty license plate may be discontinued.
- Removed the creation of the Florida Lineman specialty license plate.
- Made technical changes to other specialty license plates being created.
- Revised the period of time for audits of specialty license plate recipient organizations.
- Changed “Prevent Blindness” to “Preserve Vision” as a recipient organization of the motorcycle specialty license plate.
- Created a Purple Heart Motorcycle special license plate.

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

26 the design of certain specialty license plates;
 27 deleting certain specialty license plates; revising
 28 the distribution of annual use fees for certain
 29 specialty license plates; directing the department to
 30 develop certain specialty license plates; providing
 31 for distribution and use of fees collected from the
 32 sale of the plates; amending s. 320.08062, F.S.;
 33 directing the department to audit certain
 34 organizations that receive funds from the sale of
 35 specialty license plates; amending s. 320.08068, F.S.;
 36 requiring distribution of a specified percentage of
 37 motorcycle specialty license plate annual use fees to
 38 Preserve Vision Florida; creating s. 320.0875, F.S.;
 39 providing for a special motorcycle license plate to be
 40 issued to a recipient of the Purple Heart; providing
 41 requirements for the plate; amending s. 320.089, F.S.;
 42 providing for a special license plate to be issued to
 43 a recipient of the Bronze Star; providing effective
 44 dates.

45
 46 Be It Enacted by the Legislature of the State of Florida:

47
 48 Section 1. Paragraph (a) of subsection (3) of section
 49 320.06, Florida Statutes, is amended to read:

50 320.06 Registration certificates, license plates, and

51 validation stickers generally.-
 52 (3)(a) Registration license plates must be made of metal
 53 specially treated with a retroreflection material, as specified
 54 by the department. The registration license plate is designed to
 55 increase nighttime visibility and legibility and must be at
 56 least 6 inches wide and not less than 12 inches in length,
 57 unless a plate with reduced dimensions is deemed necessary by
 58 the department to accommodate motorcycles, mopeds, or similar
 59 smaller vehicles. Validation stickers must also be treated with
 60 a retroreflection material, must be of such size as specified by
 61 the department, and must adhere to the license plate. The
 62 registration license plate must be imprinted with a combination
 63 of bold letters and numerals or numerals, not to exceed seven
 64 digits, to identify the registration license plate number. The
 65 license plate must be imprinted with the word "Florida" at the
 66 top and the name of the county in which it is sold, the state
 67 motto, or the words "Sunshine State" at the bottom. Apportioned
 68 license plates must have the word "Apportioned" at the bottom
 69 and license plates issued for vehicles taxed under s.
 70 320.08(3)(d), (4)(m) or (n), (5)(b) or (c), or (14) must have
 71 the word "Restricted" at the bottom. License plates issued for
 72 vehicles taxed under s. 320.08(12) must be imprinted with the
 73 word "Florida" at the top and the word "Dealer" at the bottom
 74 unless the license plate is a specialty license plate as
 75 authorized in s. 320.08056. Manufacturer license plates issued

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

88 Section 2. Subsection (5) of section 320.0607, Florida
 89 Statutes, is amended to read:

90 320.0607 Replacement license plates, validation decal, or
 91 mobile home sticker.—

92 (5) Upon the issuance of an original license plate, the
 93 applicant shall pay a fee of \$28 to be deposited in the Highway
 94 Safety Operating Trust Fund. Beginning October 1, 2019, this
 95 subsection does not apply to a vehicle registered under the
 96 International Registration Plan.

97 Section 3. Paragraph (b) of subsection (2) of section
 98 320.0657, Florida Statutes, is amended to read:

99 320.0657 Permanent registration; fleet license plates.—

100 (2)

101 (b) The plates, which shall be of a distinctive color,
 102 shall have the word "Fleet" appearing at the bottom and the word
 103 "Florida" appearing at the top unless the license plate is a
 104 specialty license plate as authorized in s. 320.08056. The
 105 plates shall conform in all respects to the provisions of this
 106 chapter, except as specified herein. For additional fees as set
 107 forth in s. 320.08056, fleet companies may purchase specialty
 108 license plates in lieu of the standard fleet license plates.
 109 Fleet companies shall be responsible for all costs associated
 110 with the specialty license plate, including all annual use fees,
 111 processing fees, fees associated with switching license plate
 112 types, and any other applicable fees.

113 Section 4. Subsection (12) of section 320.08, Florida
 114 Statutes, is amended to read:

115 320.08 License taxes.—Except as otherwise provided herein,
 116 there are hereby levied and imposed annual license taxes for the
 117 operation of motor vehicles, mopeds, motorized bicycles as
 118 defined in s. 316.003(3), tri-vehicles as defined in s. 316.003,
 119 and mobile homes as defined in s. 320.01, which shall be paid to
 120 and collected by the department or its agent upon the
 121 registration or renewal of registration of the following:

122 (12) DEALER AND MANUFACTURER LICENSE PLATES.—A franchised
 123 motor vehicle dealer, independent motor vehicle dealer, marine
 124 boat trailer dealer, or mobile home dealer and manufacturer
 125 license plate: \$17 flat, of which \$4.50 shall be deposited into

126 the General Revenue Fund. For additional fees as set forth in s.
 127 320.08056, dealers may purchase specialty license plates in lieu
 128 of the standard graphic dealer license plates. Dealers shall be
 129 responsible for all costs associated with the specialty license
 130 plate, including all annual use fees, processing fees, fees
 131 associated with switching license plate types, and any other
 132 applicable fees.

133 Section 5. Section 320.08053, Florida Statutes, is amended
 134 to read:

135 320.08053 Establishment of Requirements ~~for requests to~~
 136 ~~establish~~ specialty license plates.-

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

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

151 of issuance of the license plates.

152 (b) Within 24 months after the presale specialty license
 153 plate voucher is established, the approved specialty license
 154 plate organization must record with the department a minimum of
 155 3,000 ~~1,000~~ voucher sales before manufacture of the license
 156 plate may begin ~~commence~~. If, at the conclusion of the 24-month
 157 presale period, the minimum sales requirement has ~~requirements~~
 158 ~~have~~ not been met, the specialty plate is deauthorized and the
 159 department shall discontinue development of the plate and
 160 discontinue issuance of the presale vouchers. Upon
 161 deauthorization of the license plate, a purchaser of the license
 162 plate voucher may use the annual use fee collected as a credit
 163 towards any other specialty license plate or apply for a refund
 164 on a form prescribed by the department.

165 (3) (a) If the Legislature has approved 125 or more
 166 specialty license plates, the department may not make any new
 167 specialty license plates available for design, presale, or
 168 issuance until a sufficient number of plates are discontinued
 169 pursuant to s. 320.08056(8) such that the number of plates being
 170 issued is reduced to fewer than 125.

171 (b) New specialty license plates that have been approved
 172 by law but are awaiting issuance under paragraph (a) shall be
 173 issued in the order they appear in s. 320.08056(4) provided that
 174 they have met the presale requirement. All other provisions of
 175 this section must also be met before a plate is issued. If the

176 next awaiting specialty license plate has not met the presale
 177 requirement, the department shall proceed in the order provided
 178 in s. 320.08056(4) to identify the next qualified specialty
 179 license plate that has met the presale requirement. The
 180 department shall cycle through the list in statutory order.

181 Section 6. Subsection (2) of section 320.08056, Florida
 182 Statutes, is amended, paragraphs (ff) through (ddd), (fff)
 183 through (ppp), and (sss) through (eeee) of subsection (4) of
 184 that section are redesignated as paragraphs (ee) through (ccc),
 185 (ddd) through (nnn), and (ooo) through (aaaa), respectively,
 186 present paragraphs (ee), (eee), (qqq), and (rrr) of that
 187 subsection are amended, new paragraphs (bbbb) through (hhhh) are
 188 added to that subsection, paragraphs (c) through (f) are added
 189 to subsection (8), and paragraph (a) of subsection (10) of that
 190 section is amended, to read:

191 320.08056 Specialty license plates.—

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

198 (b) The department may authorize dealer and fleet
 199 specialty license plates. With the permission of the sponsoring
 200 specialty license plate organization, a dealer or fleet company

201 may purchase specialty license plates to be used on dealer and
 202 fleet vehicles.

203 (c) Notwithstanding s. 320.08058, a dealer or fleet
 204 specialty license plate must include the letters "DLR" or "FLT"
 205 on the right side of the license plate. Dealer and fleet
 206 specialty license plates must be ordered directly through the
 207 department.

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

- 210 ~~(cc) American Red Cross license plate, \$25.~~
- 211 ~~(ccc) Donate Organs Pass It On license plate, \$25.~~
- 212 ~~(qqq) St. Johns River license plate, \$25.~~
- 213 ~~(rrr) Hispanic Achievers license plate, \$25.~~
- 214 (bbbb) Auburn University license plate, \$50.
- 215 (cccc) Donate Life Florida license plate, \$25.
- 216 (dddd) Florida State Beekeepers Association license plate,
 217 \$25.
- 218 (eeee) Rotary license plate, \$25.
- 219 (ffff) Beat Childhood Cancer license plate, \$25.
- 220 (gggg) Florida Bay Forever license plate, \$25.
- 221 (hhhh) Bonefish and Tarpon Trust license plate, \$25.

222 (8)

223 (c) A vehicle owner or lessee issued a specialty license
 224 plate that has been discontinued by the department may keep the
 225 discontinued specialty license plate for the remainder of the

226 | 10-year license plate replacement period and must pay all other
 227 | applicable registration fees. However, such owner or lessee is
 228 | exempt from paying the applicable specialty license plate fee
 229 | under subsection (4) for the remainder of the 10-year license
 230 | plate replacement period.

231 | (d) If the department discontinues issuance of a specialty
 232 | license plate, all annual use fees held or collected by the
 233 | department shall be distributed within 180 days after the date
 234 | the specialty license plate is discontinued. Of those fees, the
 235 | department shall retain an amount sufficient to defray the
 236 | applicable administrative and inventory closeout costs
 237 | associated with discontinuance of the plate. The remaining funds
 238 | shall be distributed to the appropriate organization or
 239 | organizations pursuant to s. 320.08058.

240 | (e) If an organization that is the intended recipient of
 241 | the funds pursuant to s. 320.08058 no longer exists, the
 242 | department shall deposit any undisbursed funds into the Highway
 243 | Safety Operating Trust Fund.

244 | (f) Notwithstanding paragraph (a), on January 1 of each
 245 | year, the department shall discontinue the specialty license
 246 | plate with the fewest number of plates in circulation. A warning
 247 | letter shall be mailed to the sponsoring organizations of the 10
 248 | percent of specialty license plates with the lowest number of
 249 | valid, active registrations as of December 1 of each year.

250 | (10) (a) A specialty license plate annual use fee collected

251 and distributed under this chapter, or any interest earned from
 252 those fees, may not be used for commercial or for-profit
 253 activities nor for general or administrative expenses, except as
 254 authorized by s. 320.08058 or to pay the cost of the audit or
 255 report required by s. 320.08062(1). The fees and any interest
 256 earned from the fees may be expended only for use in this state
 257 unless the annual use fee is derived from the sale of United
 258 States Armed Forces and veterans-related specialty license
 259 plates pursuant to paragraphs (4)(d), (bb), (kk), (iii), and
 260 (uuu) ~~(ll), (kkk), and (yyy)~~ and s. 320.0891 or out-of-state
 261 college or university license plates pursuant to paragraph
 262 (4)(bbbb).

263 Section 7. Effective October 1, 2021, paragraph (a) of
 264 subsection (8) of section 320.08056, Florida Statutes, is
 265 amended to read:

266 320.08056 Specialty license plates.—

267 (8)(a) The department must discontinue the issuance of an
 268 approved specialty license plate if the number of valid
 269 specialty plate registrations falls below 3,000 ~~1,000~~ plates for
 270 at least 12 consecutive months. A warning letter shall be mailed
 271 to the sponsoring organization following the first month in
 272 which the total number of valid specialty plate registrations is
 273 below 3,000 ~~1,000~~ plates. This paragraph does not apply to
 274 collegiate license plates established under s. 320.08058(3),
 275 license plates of institutions in and entities of the State

276 University System, specialty license plates that have statutory
 277 eligibility limitations for purchase, or Florida Professional
 278 Sports Team license plates established under s. 320.08058(9).

279 Section 8. Subsections (32) through (56), (58) through
 280 (68), and (71) through (83) of section 320.08058, Florida
 281 Statutes, are renumbered as subsections (31) through (55), (56)
 282 through (66), and (67) through (79), respectively, paragraph (a)
 283 of subsection (3), paragraph (a) of subsection (7), paragraph
 284 (b) of subsection (11), present subsections (31), (57), (69),
 285 and (70), and paragraph (b) of present subsection (80) are
 286 amended, and new subsections (80) through (86) are added to that
 287 section, to read:

288 320.08058 Specialty license plates.—

289 (3) COLLEGIATE LICENSE PLATES.—

290 (a) The department shall develop a collegiate license
 291 plate as provided in this section for state and independent
 292 universities domiciled in this state. However, any collegiate
 293 license plate created or established after October 1, 2002, must
 294 comply with the requirements of s. 320.08053 and be specifically
 295 authorized by an act of the Legislature. Collegiate license
 296 plates must bear the colors and design approved by the
 297 department as appropriate for each state and independent
 298 university. The word "Florida" must be stamped across the bottom
 299 of the plate in small letters, except for the University of
 300 Central Florida specialty license plate, which shall have "2017

301 National Champions" stamped across the bottom of the plate.

302 (7) SPECIAL OLYMPICS FLORIDA LICENSE PLATES.—

303 (a) Special Olympics Florida license plates must contain
 304 the official Special Olympics Florida logo and must bear the
 305 colors and a design ~~and colors that are~~ approved by the
 306 department. The word "Florida" must be centered at the top
 307 ~~bottom~~ of the plate, and the words "Be a Fan" ~~"Everyone Wins"~~
 308 must be centered at the bottom ~~top~~ of the plate.

309 (11) INVEST IN CHILDREN LICENSE PLATES.—

310 (b) The proceeds of the Invest in Children license plate
 311 annual use fee must be deposited into the Juvenile Crime
 312 Prevention and Early Intervention Trust Fund within the
 313 Department of Juvenile Justice. Based on the recommendations of
 314 the juvenile justice councils, the Department of Juvenile
 315 Justice shall use the proceeds of the fee to fund programs and
 316 services that are designed to prevent juvenile delinquency. ~~The~~
 317 ~~department shall allocate moneys for programs and services~~
 318 ~~within each county based on that county's proportionate share of~~
 319 ~~the license plate annual use fee collected by the county.~~

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

321 ~~(a) Notwithstanding the provisions of s. 320.08053, the~~
 322 ~~department shall develop an American Red Cross license plate as~~
 323 ~~provided in this section. The word "Florida" must appear at the~~
 324 ~~top of the plate, and the words "American Red Cross" must appear~~
 325 ~~at the bottom of the plate.~~

326 ~~(b) The department shall retain all revenues from the sale~~
 327 ~~of such plates until all startup costs for developing and~~
 328 ~~issuing the plates have been recovered. Thereafter, 50 percent~~
 329 ~~of the annual use fees shall be distributed to the American Red~~
 330 ~~Cross Chapter of Central Florida, with statistics on sales of~~
 331 ~~license plates, which are tabulated by county. The American Red~~
 332 ~~Cross Chapter of Central Florida must distribute to each of the~~
 333 ~~chapters in this state the moneys received from sales in the~~
 334 ~~counties covered by the respective chapters, which moneys must~~
 335 ~~be used for education and disaster relief in Florida. Fifty~~
 336 ~~percent of the annual use fees shall be distributed~~
 337 ~~proportionately to the three statewide approved poison control~~
 338 ~~centers for purposes of combating bioterrorism and other poison-~~
 339 ~~related purposes.~~

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

341 ~~(a) The department shall develop a Donate Organs Pass It~~
 342 ~~On license plate as provided in this section. The word "Florida"~~
 343 ~~must appear at the top of the plate, and the words "Donate~~
 344 ~~Organs Pass It On" must appear at the bottom of the plate.~~

345 ~~(b) The annual use fees shall be distributed to Transplant~~
 346 ~~Foundation, Inc., and shall use up to 10 percent of the proceeds~~
 347 ~~from the annual use fee for marketing and administrative costs~~
 348 ~~that are directly associated with the management and~~
 349 ~~distribution of the proceeds. The remaining proceeds shall be~~
 350 ~~used to provide statewide grants for patient services, including~~

351 ~~preoperative, rehabilitative, and housing assistance; organ~~
 352 ~~donor education and awareness programs; and statewide medical~~
 353 ~~research.~~

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

355 ~~(a) The department shall develop a St. Johns River license~~
 356 ~~plate as provided in this section. The St. Johns River license~~
 357 ~~plates must bear the colors and design approved by the~~
 358 ~~department. The word "Florida" must appear at the top of the~~
 359 ~~plate, and the words "St. Johns River" must appear at the bottom~~
 360 ~~of the plate.~~

361 ~~(b) The requirements of s. 320.08053 must be met prior to~~
 362 ~~the issuance of the plate. Thereafter, the license plate annual~~
 363 ~~use fees shall be distributed to the St. Johns River Alliance,~~
 364 ~~Inc., a s. 501(c)(3) nonprofit organization, which shall~~
 365 ~~administer the fees as follows:~~

366 ~~1. The St. Johns River Alliance, Inc., shall retain the~~
 367 ~~first \$60,000 of the annual use fees as direct reimbursement for~~
 368 ~~administrative costs, startup costs, and costs incurred in the~~
 369 ~~development and approval process. Thereafter, up to 10 percent~~
 370 ~~of the annual use fee revenue may be used for administrative~~
 371 ~~costs directly associated with education programs, conservation,~~
 372 ~~research, and grant administration of the organization, and up~~
 373 ~~to 10 percent may be used for promotion and marketing of the~~
 374 ~~specialty license plate.~~

375 ~~2. At least 30 percent of the fees shall be available for~~

376 ~~competitive grants for targeted community-based or county-based~~
 377 ~~research or projects for which state funding is limited or not~~
 378 ~~currently available. The remaining 50 percent shall be directed~~
 379 ~~toward community outreach and access programs. The competitive~~
 380 ~~grants shall be administered and approved by the board of~~
 381 ~~directors of the St. Johns River Alliance, Inc. A grant advisory~~
 382 ~~committee shall be composed of six members chosen by the St.~~
 383 ~~Johns River Alliance board members.~~

384 ~~3. Any remaining funds shall be distributed with the~~
 385 ~~approval of and accountability to the board of directors of the~~
 386 ~~St. Johns River Alliance, Inc., and shall be used to support~~
 387 ~~activities contributing to education, outreach, and springs~~
 388 ~~conservation.~~

389 ~~(70) HISPANIC ACHIEVERS LICENSE PLATES.~~

390 ~~(a) Notwithstanding the requirements of s. 320.08053, the~~
 391 ~~department shall develop a Hispanic Achievers license plate as~~
 392 ~~provided in this section. The plate must bear the colors and~~
 393 ~~design approved by the department. The word "Florida" must~~
 394 ~~appear at the top of the plate, and the words "Hispanic~~
 395 ~~Achievers" must appear at the bottom of the plate.~~

396 ~~(b) The proceeds from the license plate annual use fee~~
 397 ~~shall be distributed to National Hispanic Corporate Achievers,~~
 398 ~~Inc., a nonprofit corporation under s. 501(c)(3) of the Internal~~
 399 ~~Revenue Code, to fund grants to nonprofit organizations to~~
 400 ~~operate programs and provide scholarships and for marketing the~~

401 ~~Hispanic Achievers license plate. National Hispanic Corporate~~
 402 ~~Achievers, Inc., shall establish a Hispanic Achievers Grant~~
 403 ~~Council that shall provide recommendations for statewide grants~~
 404 ~~from available Hispanic Achievers license plate proceeds to~~
 405 ~~nonprofit organizations for programs and scholarships for~~
 406 ~~Hispanic and minority Floridians. National Hispanic Corporate~~
 407 ~~Achievers, Inc., shall also establish a Hispanic Achievers~~
 408 ~~License Plate Fund. Moneys in the fund shall be used by the~~
 409 ~~grant council as provided in this paragraph. All funds received~~
 410 ~~under this subsection must be used in this state.~~

411 ~~(c) National Hispanic Corporate Achievers, Inc., may~~
 412 ~~retain all proceeds from the annual use fee until documented~~
 413 ~~startup costs for developing and establishing the plate have~~
 414 ~~been recovered. Thereafter, the proceeds from the annual use fee~~
 415 ~~shall be used as follows:~~

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

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

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

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

426 5. ~~The remaining proceeds shall be available to the~~
 427 ~~Hispanic Achievers Grant Council to award grants for services,~~
 428 ~~programs, or scholarships for Hispanic and minority individuals~~
 429 ~~and organizations throughout Florida. All grant recipients must~~
 430 ~~provide to the Hispanic Achievers Grant Council an annual~~
 431 ~~program and financial report regarding the use of grant funds.~~
 432 ~~Such reports must be available to the public.~~

433 ~~(d) Effective July 1, 2014, the Hispanic Achievers license~~
 434 ~~plate will shift into the presale voucher phase, as provided in~~
 435 ~~s. 320.08053(2)(b). National Hispanic Corporate Achievers, Inc.,~~
 436 ~~shall have 24 months to record a minimum of 1,000 sales. Sales~~
 437 ~~include existing active plates and vouchers sold subsequent to~~
 438 ~~July 1, 2014. During the voucher period, new plates may not be~~
 439 ~~issued, but existing plates may be renewed. If, at the~~
 440 ~~conclusion of the 24-month presale period, the requirement of a~~
 441 ~~minimum of 1,000 sales has been met, the department shall resume~~
 442 ~~normal distribution of the Hispanic Achievers license plate. If,~~
 443 ~~after 24 months, the minimum of 1,000 sales has not been met,~~
 444 ~~the department shall discontinue the Hispanic Achievers license~~
 445 ~~plate. This subsection is repealed June 30, 2016.~~

446 ~~(76)(80)~~ FALLEN LAW ENFORCEMENT OFFICERS LICENSE PLATES.-

447 (b) The annual use fees shall be distributed to the Police
 448 and Kids Foundation, Inc., which may use up to a maximum of 10
 449 percent of the proceeds for marketing ~~to promote and market~~ the
 450 plate. All remaining ~~The remainder of the~~ proceeds shall be

451 distributed to and used by the Police and Kids Foundation, Inc.,
 452 for its operations, activities, programs, and projects to invest
 453 and reinvest, and the interest earnings shall be used for the
 454 operation of the Police and Kids Foundation, Inc.

455 (80) AUBURN UNIVERSITY LICENSE PLATES.-

456 (a) The department shall develop an Auburn University
 457 license plate as provided in this section and s. 320.08053. The
 458 plate must bear the colors and design approved by the
 459 department. The word "Florida" must appear at the top of the
 460 plate, and the words "War Eagle" must appear at the bottom of
 461 the plate.

462 (b) The Tampa Bay Auburn Club is the lead club on behalf
 463 of the Auburn clubs in this state. The annual use fees from the
 464 sale of the plate shall be distributed to the Tampa Bay Auburn
 465 Club, together with statistics on sales of the license plates
 466 tabulated by county. The Tampa Bay Auburn Club must distribute
 467 to each of the state's Auburn clubs on a pro rata basis the
 468 moneys received from sales in the regions within the respective
 469 club's area for the purpose of awarding scholarships to Florida
 470 residents attending Auburn University. Students receiving these
 471 scholarships must be eligible for the Florida Bright Futures
 472 Scholarship Program pursuant to s. 1009.531 and shall use the
 473 scholarship funds for tuition and other expenses related to
 474 attending Auburn University.

475 (81) DONATE LIFE FLORIDA LICENSE PLATES.-

476 (a) The department shall develop a Donate Life Florida
 477 license plate as provided in this section and s. 320.08053. The
 478 plate must bear the colors and design approved by the
 479 department. The word "Florida" must appear at the top of the
 480 plate, and the words "Donors Save Lives" must appear at the
 481 bottom of the plate.

482 (b) The annual use fees from the sale of the plate shall
 483 be distributed to Donate Life Florida, which may use up to 10
 484 percent of the proceeds for marketing and administrative costs.
 485 The remaining proceeds of the annual use fees shall be used by
 486 Donate Life Florida to educate Florida residents on the
 487 importance of organ, tissue, and eye donation and for the
 488 continued maintenance of the Joshua Abbott Organ and Tissue
 489 Donor Registry.

490 (82) FLORIDA STATE BEEKEEPERS ASSOCIATION LICENSE PLATES.-

491 (a) The department shall develop a Florida State
 492 Beekeepers Association license plate as provided in this section
 493 and s. 320.08053. The plate must bear the colors and design
 494 approved by the department. The word "Florida" must appear at
 495 the top of the plate, and the words "Save the Bees" must appear
 496 at the bottom of the plate.

497 (b) The annual use fees shall be distributed to the
 498 Florida State Beekeepers Association, a Florida nonprofit
 499 corporation. The Florida State Beekeepers Association may use up
 500 to 10 percent of the annual use fees for administrative,

501 promotional, and marketing costs of the license plate.

502 (c) The remaining funds shall be distributed to the
 503 Florida State Beekeepers Association and shall be used to raise
 504 awareness of the importance of beekeeping to Florida agriculture
 505 by funding honeybee research, education, outreach, and
 506 husbandry. The Florida State Beekeepers Association board of
 507 managers must approve and is accountable for all such
 508 expenditures.

509 (83) ROTARY LICENSE PLATES.-

510 (a) The department shall develop a Rotary license plate as
 511 provided in this section and s. 320.08053. The plate must bear
 512 the colors and design approved by the department. The word
 513 "Florida" must appear at the top of the plate, and the word
 514 "Rotary" must appear on the bottom of the plate. The license
 515 plate must bear the Rotary International wheel emblem.

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

518 1. Up to 10 percent may be used for administrative costs
 519 and for marketing of the plate.

520 2. Ten percent shall be distributed to Rotary's Camp
 521 Florida for direct support to all programs and services provided
 522 to children with special needs who attend the camp.

523 3. The remainder shall be distributed, proportionally
 524 based on sales, to each Rotary district in the state in support
 525 of Rotary youth programs in Florida.

526 (84) BEAT CHILDHOOD CANCER LICENSE PLATES.-

527 (a) The department shall develop a Beat Childhood Cancer
 528 license plate as provided in this section and s. 320.08053. The
 529 plate must bear the colors and design approved by the
 530 department. The word "Florida" must appear at the top of the
 531 plate, and the words "Beat Childhood Cancer" must appear at the
 532 bottom of the plate.

533 (b) The annual use fees from the sale of the plate shall
 534 be distributed to Beat Nb, Inc., which may use up to 10 percent
 535 of the proceeds for administrative costs directly associated
 536 with the operation of the corporation and for marketing and
 537 promoting the plate. The remaining proceeds shall be used by the
 538 corporation to fund pediatric cancer treatment and research.

539 (85) FLORIDA BAY FOREVER LICENSE PLATES.-

540 (a) The department shall develop a Florida Bay Forever
 541 license plate as provided in this section and s. 320.08053. The
 542 plate must bear the colors and design approved by the
 543 department. The word "Florida" must appear at the top of the
 544 plate, and the words "Florida Bay Forever" must appear at the
 545 bottom of the plate.

546 (b) The annual use fees from the sale of the plate shall
 547 be distributed to the Florida National Park Association, Inc.,
 548 which may use up to 10 percent of the proceeds for
 549 administrative costs and marketing of the plate. The remainder
 550 of the funds shall be used to supplement the Everglades National

551 Park's budgets and to support educational, interpretive,
 552 historical, and scientific research relating to the Everglades
 553 National Park.

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

555 (a) The department shall develop a Bonefish and Tarpon
 556 Trust license plate as provided in this section and s.
 557 320.08053. The plate must bear the colors and design approved by
 558 the department. The word "Florida" must appear at the top of the
 559 plate, and the words "Bonefish and Tarpon Trust" must appear at
 560 the bottom of the plate.

561 (b) The annual use fees from the sale of the plate shall
 562 be distributed to the Bonefish and Tarpon Trust, which may use
 563 up to 10 percent of the proceeds to promote and market the
 564 license plate. The remainder of the proceeds shall be used to
 565 conserve and enhance Florida bonefish and tarpon fisheries and
 566 their respective environments through stewardship, research,
 567 education, and advocacy.

568 Section 9. Section 320.08062, Florida Statutes, is amended
 569 to read:

570 320.08062 Audits and attestations required; annual use
 571 fees of specialty license plates.-

572 (1)(a) All organizations that receive annual use fee
 573 proceeds from the department are responsible for ensuring that
 574 proceeds are used in accordance with ss. 320.08056 and
 575 320.08058.

576 (b) Any organization not subject to audit pursuant to s.
 577 215.97 shall annually attest, under penalties of perjury, that
 578 such proceeds were used in compliance with ss. 320.08056 and
 579 320.08058. The attestation shall be made annually in a form and
 580 format determined by the department. In addition, the department
 581 shall audit any such organization every 3 years to ensure
 582 proceeds have been used in compliance with ss. 320.08056 and
 583 320.08058.

584 (c) Any organization subject to audit pursuant to s.
 585 215.97 shall submit an audit report in accordance with rules
 586 promulgated by the Auditor General. The annual attestation shall
 587 be submitted to the department for review within 9 months after
 588 the end of the organization's fiscal year.

589 (2)(a) Within 120 days after receiving an organization's
 590 audit or attestation, the department shall determine which
 591 recipients of revenues from specialty license plate annual use
 592 fees have not complied with subsection (1). In determining
 593 compliance, the department may commission an independent
 594 actuarial consultant, or an independent certified public
 595 accountant, who has expertise in nonprofit and charitable
 596 organizations.

597 (b) The department must discontinue the distribution of
 598 revenues to any organization failing to submit the required
 599 documentation as required in subsection (1), but may resume
 600 distribution of the revenues upon receipt of the required

601 information.

602 (c) If the department or its designee determines that an
 603 organization has not complied or has failed to use the revenues
 604 in accordance with ss. 320.08056 and 320.08058, the department
 605 must discontinue the distribution of the revenues to the
 606 organization. The department shall notify the organization of
 607 its findings and direct the organization to make the changes
 608 necessary in order to comply with this chapter. If the officers
 609 of the organization sign an affidavit under penalties of perjury
 610 stating that they acknowledge the findings of the department and
 611 attest that they have taken corrective action and that the
 612 organization will submit to a followup review by the department,
 613 the department may resume the distribution of revenues.

614 (d) If an organization fails to comply with the
 615 department's recommendations and corrective actions as outlined
 616 in paragraph (c), the revenue distributions shall be
 617 discontinued until completion of the next regular session of the
 618 Legislature. The department shall notify the President of the
 619 Senate and the Speaker of the House of Representatives by the
 620 first day of the next regular session of any organization whose
 621 revenues have been withheld as a result of this paragraph. If
 622 the Legislature does not provide direction to the organization
 623 and the department regarding the status of the undistributed
 624 revenues, the department shall deauthorize the plate and the
 625 undistributed revenues shall be immediately deposited into the

626 Highway Safety Operating Trust Fund.

627 (3) The department or its designee has the authority to
 628 examine all records pertaining to the use of funds from the sale
 629 of specialty license plates.

630 Section 10. Paragraph (b) of subsection (4) of section
 631 320.08068, Florida Statutes, is amended to read:

632 320.08068 Motorcycle specialty license plates.—

633 (4) A license plate annual use fee of \$20 shall be
 634 collected for each motorcycle specialty license plate. Annual
 635 use fees shall be distributed as follows:

636 (b) Twenty percent to Preserve Vision ~~Prevent Blindness~~
 637 Florida.

638 Section 11. Section 320.0875, Florida Statutes, is created
 639 to read:

640 320.0875 Purple Heart special motorcycle license plate.—

641 (1) Upon application to the department and payment of the
 642 license tax for the motorcycle as provided in s. 320.08, a
 643 resident of the state who owns or leases a motorcycle that is
 644 not used for hire or commercial use shall be issued a Purple
 645 Heart special motorcycle license plate if he or she provides
 646 documentation acceptable to the department that he or she is a
 647 recipient of the Purple Heart medal.

648 (2) The Purple Heart special motorcycle license plate
 649 shall be stamped with the term "Combat-wounded Veteran" followed
 650 by the serial number of the license plate. The Purple Heart

651 special motorcycle license plate may have the term "Purple
 652 Heart" stamped on the plate and the likeness of the Purple Heart
 653 medal appearing on the plate.

654 Section 12. Paragraph (a) of subsection (1) of section
 655 320.089, Florida Statutes, is amended to read:

656 320.089 Veterans of the United States Armed Forces;
 657 members of National Guard; survivors of Pearl Harbor; Purple
 658 Heart medal recipients; Bronze Star recipients; active or
 659 retired United States Armed Forces reservists; Combat Infantry
 660 Badge, Combat Medical Badge, or Combat Action Badge recipients;
 661 Combat Action Ribbon recipients; Air Force Combat Action Medal
 662 recipients; Distinguished Flying Cross recipients; former
 663 prisoners of war; Korean War Veterans; Vietnam War Veterans;
 664 Operation Desert Shield Veterans; Operation Desert Storm
 665 Veterans; Operation Enduring Freedom Veterans; Operation Iraqi
 666 Freedom Veterans; Women Veterans; World War II Veterans; and
 667 Navy Submariners; special license plates; fee.-

668 (1)(a) Each owner or lessee of an automobile or truck for
 669 private use or recreational vehicle as specified in s.
 670 320.08(9)(c) or (d), which is not used for hire or commercial
 671 use, who is a resident of the state and a veteran of the United
 672 States Armed Forces, a Woman Veteran, a World War II Veteran, a
 673 Navy Submariner, an active or retired member of the Florida
 674 National Guard, a survivor of the attack on Pearl Harbor, a
 675 recipient of the Purple Heart medal, a recipient of the Bronze

676 Star, an active or retired member of any branch of the United
 677 States Armed Forces Reserve, or a recipient of the Combat
 678 Infantry Badge, Combat Medical Badge, Combat Action Badge,
 679 Combat Action Ribbon, Air Force Combat Action Medal, or
 680 Distinguished Flying Cross, upon application to the department,
 681 accompanied by proof of release or discharge from any branch of
 682 the United States Armed Forces, proof of active membership or
 683 retired status in the Florida National Guard, proof of
 684 membership in the Pearl Harbor Survivors Association or proof of
 685 active military duty in Pearl Harbor on December 7, 1941, proof
 686 of being a Purple Heart medal recipient, proof of being a Bronze
 687 Star recipient, proof of active or retired membership in any
 688 branch of the United States Armed Forces Reserve, or proof of
 689 membership in the Combat Infantrymen's Association, Inc., proof
 690 of being a recipient of the Combat Infantry Badge, Combat
 691 Medical Badge, Combat Action Badge, Combat Action Ribbon, Air
 692 Force Combat Action Medal, or Distinguished Flying Cross, and
 693 upon payment of the license tax for the vehicle as provided in
 694 s. 320.08, shall be issued a license plate as provided by s.
 695 320.06 which, in lieu of the serial numbers prescribed by s.
 696 320.06, is stamped with the words "Veteran," "Woman Veteran,"
 697 "WWII Veteran," "Navy Submariner," "National Guard," "Pearl
 698 Harbor Survivor," "Combat-wounded veteran," "Bronze Star," "U.S.
 699 Reserve," "Combat Infantry Badge," "Combat Medical Badge,"
 700 "Combat Action Badge," "Combat Action Ribbon," "Air Force Combat

701 | Action Medal," or "Distinguished Flying Cross," as appropriate,
 702 | and a likeness of the related campaign medal or badge, followed
 703 | by the serial number of the license plate. Additionally, the
 704 | Purple Heart plate may have the words "Purple Heart" stamped on
 705 | the plate and the likeness of the Purple Heart medal appearing
 706 | on the plate.

707 | Section 13. Except as otherwise expressly provided in this
 708 | act, this act shall take effect October 1, 2018.

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1359 (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	_____	

1 Committee/Subcommittee hearing bill: Transportation & Tourism
2 Appropriations Subcommittee
3 Representative Grant, J. offered the following:
4

5 **Amendment (with title amendment)**

6 Remove lines 88-96
7
8

9 -----

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

11 Remove lines 4-6 and insert:

12 license plates;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1359 (2018)

Amendment No. 2

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Transportation & Tourism
2 Appropriations Subcommittee
3 Representative Jenne offered the following:
4

5 **Amendment**

6 Remove lines 300-301 and insert:

7 Central Florida specialty license plate, which shall have "We're
8 #6" stamped across the bottom of the plate.
9

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1359 (2018)

Amendment No. 3

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Transportation & Tourism
2 Appropriations Subcommittee
3 Representative Jenne offered the following:
4

5 **Amendment**

6 Remove lines 300-301 and insert:

7 Central Florida specialty license plate, which shall have "2017
8 Undefeated Season" stamped across the bottom of the plate.
9

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 1359 (2018)

Amendment No. 4

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Transportation & Tourism
2 Appropriations Subcommittee
3 Representative Jenne offered the following:
4

Amendment

5
6 Remove line 301 and insert:
7 was a Swell Year" stamped across the bottom of the plate.



Transportation & Tourism Appropriations Subcommittee

**Tuesday, February 6, 2018
12:30 PM – 2:30 PM
Sumner Hall (404 HOB)**

Meeting Packet

Addendum A

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1103 (2018)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<input type="checkbox"/>	(Y/N)
ADOPTED AS AMENDED	<input type="checkbox"/>	(Y/N)
ADOPTED W/O OBJECTION	<input type="checkbox"/>	(Y/N)
FAILED TO ADOPT	<input type="checkbox"/>	(Y/N)
WITHDRAWN	<input type="checkbox"/>	(Y/N)
OTHER	<input type="checkbox"/>	

1 Committee/Subcommittee hearing bill: Transportation & Tourism
2 Appropriations Subcommittee

3 Representative Ingram offered the following:

4

5 **Amendment**

6 Remove lines 64-67 and insert:

7 of opportunity designated pursuant to s. 288.0656. Grant

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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

1 Committee/Subcommittee hearing bill: Transportation & Tourism
2 Appropriations Subcommittee
3 Representative Drake offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

7 Section 1. Section 320.0605, Florida Statutes, is amended
8 to read:

9 320.0605 Certificate of registration; possession required;
10 exception.—

11 (1)(a) The registration certificate or an official copy
12 thereof, a true copy or electronic copy of rental or lease
13 documentation issued for a motor vehicle or issued for a
14 replacement vehicle in the same registration period, a temporary
15 receipt printed upon self-initiated electronic renewal of a
16 registration via the Internet, or a cab card issued for a

Amendment No. 1

17 vehicle registered under the International Registration Plan
18 shall, at all times while the vehicle is being used or operated
19 on the roads of this state, be in the possession of the operator
20 thereof or be carried in the vehicle for which issued and shall
21 be exhibited upon demand of any authorized law enforcement
22 officer or any agent of the department, except for a vehicle
23 registered under s. 320.0657. ~~The provisions of~~ This section
24 does ~~de~~ not apply during the first 30 days after purchase of a
25 replacement vehicle. A violation of this section is a
26 noncriminal traffic infraction, punishable as a nonmoving
27 violation as provided in chapter 318.

28 (b)1. The act of presenting to a law enforcement officer
29 or agent of the department an electronic device displaying an
30 electronic copy of rental or lease documentation does not
31 constitute consent for the officer or agent to access any
32 information on the device other than the displayed rental or
33 lease documentation.

34 2. The person who presents the device to the officer or
35 agent assumes the liability for any resulting damage to the
36 device.

37 (2) Rental or lease documentation that is sufficient to
38 satisfy the requirement in subsection (1) includes the
39 following:

- 40 (a) ~~Date of rental~~ and time of ~~exit from~~ rental facility;
41 (b) Rental station identification;

Amendment No. 1

- 42 (c) Rental agreement number;
43 (d) Rental vehicle identification number;
44 (e) Rental vehicle license plate number and state of
45 registration;
46 (f) Vehicle's make, model, and color;
47 (g) Vehicle's mileage; and
48 (h) Authorized renter's name.

49 Section 2. Subsection (10) is added to section 320.131,
50 Florida Statutes, to read:

51 320.131 Temporary tags.—

52 (10) The department may partner with a county tax
53 collector to issue temporary tags to fleet companies to allow
54 them to operate fleet vehicles awaiting a permanent registration
55 and title.

56 (a) The department shall establish a memorandum of
57 understanding that allows a fleet company to receive multiple
58 temporary tags for company fleet vehicles.

59 (b) To receive temporary tags under this subsection, a
60 fleet company must have a minimum of 3,500 fleet vehicles
61 registered in this state that qualify to be registered as fleet
62 vehicles pursuant to s. 320.0657.

63 (c) The department may issue up to 50 temporary tags at a
64 time to an eligible fleet company if requested by such company.

65 (d) A temporary tag issued under this subsection is for
66 exclusive use for a vehicle purchased for the company's fleet

Amendment No. 1

67 and may not be used on any other vehicle. Each temporary tag may
68 be used by only one vehicle, and each vehicle may use only one
69 temporary tag.

70 (e) Upon issuance of the vehicle's permanent license plate
71 and registration, the temporary tag is invalid and must be
72 removed from the vehicle and destroyed.

73 (f) Upon a finding by the department that a temporary tag
74 has been misused by a fleet company under this subsection, the
75 department may terminate the memorandum of understanding with
76 the company, invalidate all temporary tags issued to the company
77 under this subsection, and require such company to return any
78 unused temporary tags.

79 Section 3. Section 322.38, Florida Statutes, is amended to
80 read:

81 322.38 Renting motor vehicle to another.—

82 (1) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to any
83 other person unless the other ~~latter~~ person is ~~then~~ duly
84 licensed, ~~or,~~ if a nonresident, ~~he or she shall be~~ licensed
85 under the laws of the state or country of his or her residence,
86 except a nonresident whose home state or country does not
87 require that an operator be licensed.

88 (2) A ~~No~~ person may not ~~shall~~ rent a motor vehicle to
89 another until he or she has inspected the driver license of the
90 person to whom the vehicle is to be rented, ~~and has compared and~~
91 verified that the driver license is unexpired ~~signature thereon~~

Amendment No. 1

92 ~~with the signature of such person written in his or her~~
93 ~~presence.~~

94 (3) Every person renting a motor vehicle to another shall
95 keep a record of the registration number of the motor vehicle so
96 rented, the name and address of the person to whom the vehicle
97 is rented, the number of the license of said latter person, and
98 the ~~date and place when and where the said~~ license was issued.
99 Such record shall be open to inspection by any police officer,
100 or officer or employee of the department.

101 (4) If a rental car company rents a motor vehicle to a
102 person through digital, electronic, or other means which allows
103 the renter to obtain possession of the motor vehicle without
104 direct contact with an agent or employee of the rental car
105 company, or where the renter does not execute a rental contract
106 at the time he or she takes possession of the vehicle, the
107 rental car company shall be deemed to have met all obligations
108 of subsections (1) and (2) when the rental car company, at the
109 time the renter enrolls in a membership program, master
110 agreement, or other means of establishing use of the rental car
111 company's services, or any time thereafter, requires the renter
112 to verify that he or she is duly licensed and that the license
113 is unexpired.

114 Section 4. This act shall take effect October 1, 2018.

115

116

Amendment No. 1

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

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 320.0605, F.S.; authorizing presentation of electronic documentation of certain information to a law enforcement officer or agent of the department; providing construction; providing for liability; revising information required in such documentation; amending s. 320.131, F.S.; authorizing the department to partner with county tax collectors to issue temporary tags to fleet vehicles; requiring the department to establish a memorandum of understanding with a fleet company; providing company eligibility requirements; providing requirements for tag issuance, use, and invalidation; providing for disciplinary action under certain circumstances; amending s. 322.38, F.S.; revising requirements for renting a motor vehicle to another person; providing an effective date.