

Tab 2	SB 28 by Hooper; (Similar to H 00107) License Taxes						
495372	D	S	RCS	TR, Hooper	Delete everything after	12/06	12:46 PM

Tab 3	SB 60 by Harrell; (Similar to H 00105) Specialty License Plates/General Aviation						
468464	A	S	RCS	TR, Harrell	Delete L.21 - 27:	12/06	12:46 PM

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

TRANSPORTATION
Senator DiCeglie, Chair
Senator Davis, Vice Chair

MEETING DATE: Wednesday, December 6, 2023
TIME: 11:00 a.m.—1:00 p.m.
PLACE: *Toni Jennings Committee Room*, 110 Senate Building

MEMBERS: Senator DiCeglie, Chair; Senator Davis, Vice Chair; Senators Gruters, Hooper, Torres, and Trumbull

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	Presentation of Agency Legislative Priorities: Florida Department of Highway Safety and Motor Vehicles Florida Department of Transportation		Presented
2	SB 28 Hooper (Similar H 107)	License Taxes; Defining the terms “electric vehicle” and “plug-in hybrid electric vehicle”; imposing specified additional annual license taxes on electric vehicles and plug-in hybrid electric vehicles; increasing such taxes beginning on a specified date; providing for the distribution of proceeds from the additional license taxes; providing that certain vehicles are exempt from specified license taxes, etc. TR 12/06/2023 Fav/CS AP	Fav/CS Yeas 6 Nays 0
3	SB 60 Harrell (Similar H 105)	Specialty License Plates/General Aviation; Directing the Department of Highway Safety and Motor Vehicles to develop a General Aviation license plate; providing for distribution and use of fees collected from the sale of the plate, etc. TR 12/06/2023 Fav/CS ATD FP	Fav/CS Yeas 6 Nays 0

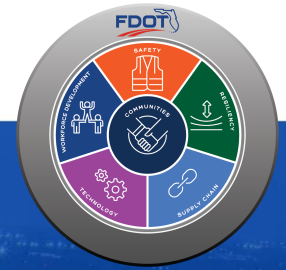
Other Related Meeting Documents

2024 LEGISLATIVE PRIORITIES

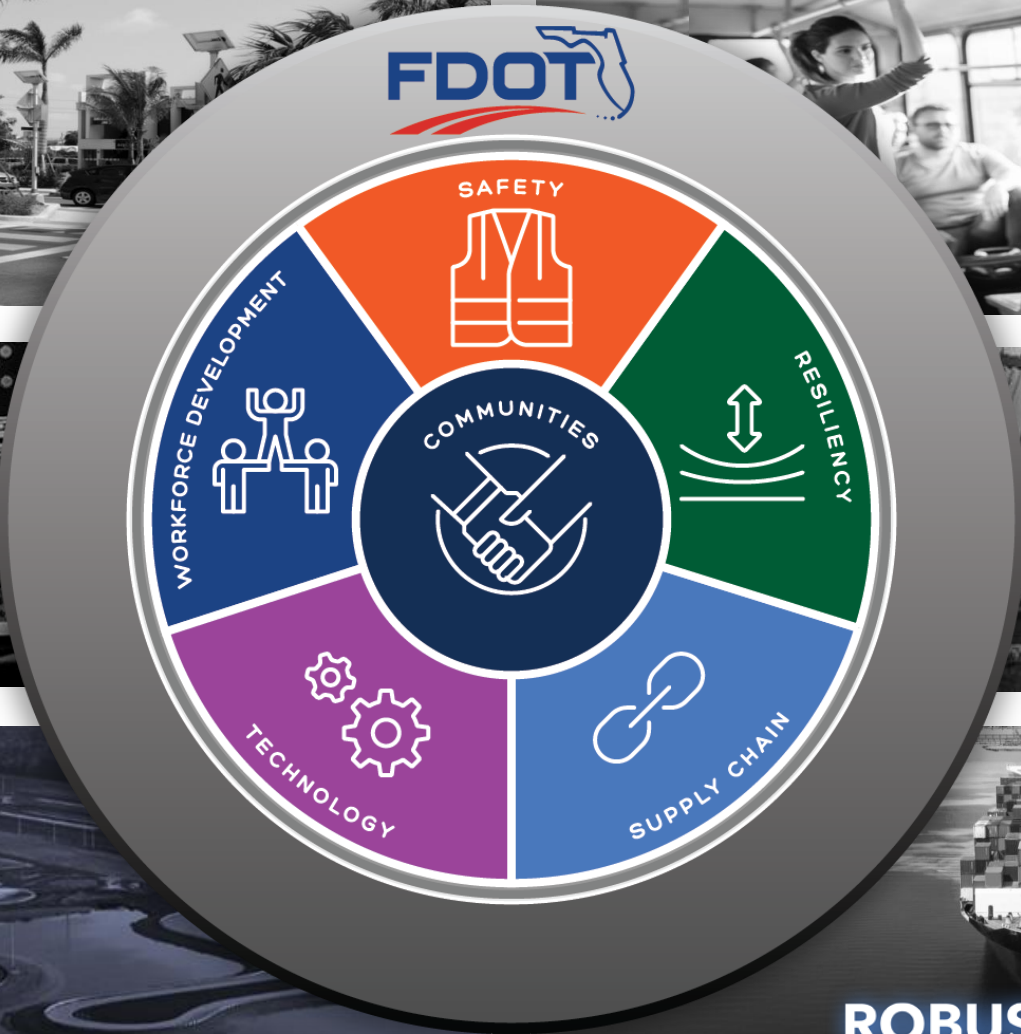


Florida Senate
Committee on Transportation
Secretary Jared W. Perdue, P.E.
December 6, 2023

FDOT MISSION



The Florida Department of Transportation (FDOT) is committed to providing a **safe transportation system** that ensures the **mobility of people and goods, enhances economic prosperity** and **preserves the quality of our environment** and **communities**.



WORKFORCE DEVELOPMENT



Recruiting and retaining a talented and robust workforce is critical for ensuring FDOT and the industry can deliver a historic Work Program of \$64 Billion over the next 5 years.

Creating a Career Path

Requests additional authority for trainee programs to develop Bridge Inspectors, Roadway Technicians, Transportation Project Managers, and Work Program Specialists.



STATUTORY CLEAN-UPS



Realign FDOT OIG

Properly aligns FDOT's Office of Inspector General to report directly to the Chief Inspector General as dictated by current law.



Electronic Toll Payments

Authorizes Florida's Turnpike Enterprise to procure and establish contracts to accept and process electronic payments to which the Enterprise is entitled.



Dormant Pre-Paid Toll Accounts

Increases the time period a toll account can remain dormant from 3 years to 10 years.

FISCAL RESPONSIBILITY



Repurposing New Start Transit Funds

Allows the un-matched funds from the New Start Transit Program to be reallocated to Strategic Intermodal System funding if the local match funds have not been committed to projects by June 30 of the current fiscal year.

Landscaping within our Communities

Creates a tiered approach to meeting annual financial commitments for project landscaping to better meet the needs of individual communities.

FISCAL RESPONSIBILITY



Preventing the Politization of Infrastructure Needs

- *Ensures transportation planning efforts focus on pecuniary factors rather than social, political, or ideological interests.*
- *Withholds state funding from public transportation entities that violate Florida's protections against COVID-19 mandates.*
- *Prohibits state funds from being used to promote social, political, or ideological interests on tax-payer funded buses, trains, and infrastructure.*

SUPPLY CHAIN RESILIENCY



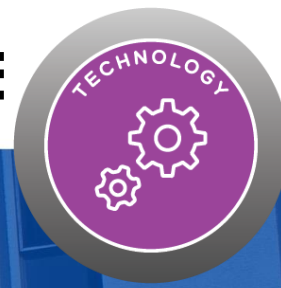
Continued investment in Florida's robust supply chain ensures the ability to move goods and promote innovate delivery methods.

Commercial Truck Parking Relief
\$25 Million

Supply Chain Innovation
Grant w/ FloridaCommerce
\$75 Million

DEPARTMENT OF TRANSPORTATION

SUPPORTING TECHNOLOGY INFRASTRUCTURE



Transportation technology is critical to supporting FDOT's business and ensures the safety and protection of our communities.

Data Security & Privacy

**Preventing Business
Disruption & Failure**

Strategic Investments

DEPARTMENT OF TRANSPORTATION

SAFETY FIRST



FDOT places a high emphasis on incorporating safety into all that we do – from policy and program development, to every project that we plan and deliver.

**Wrong-Way Vehicle
Detection Systems**

**Lane Departure
Notification System**

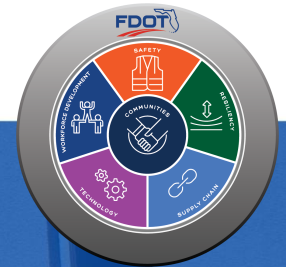
**Enhanced Pedestrian
Lighting**

Movable Bridges

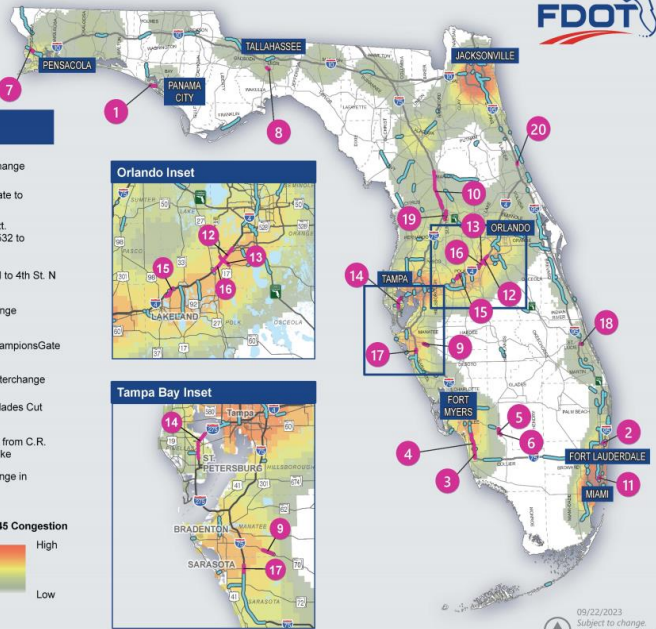
Rumble Strips



MOVING FLORIDA FORWARD



MOVING FLORIDA FORWARD Infrastructure Initiative



CONGESTION RELIEF PROJECTS

- | | |
|--|---|
| 1 U.S. 98 from R. Jackson Blvd. to Hathaway Bridge | 11 Golden Glades Interchange |
| 2 SW 10th St. | 12 I-4 from ChampionsGate to Osceola Pkwy. |
| 3 I-75 at Pine Ridge Rd. Interchange | 13 Poinciana Parkway Ext. Connector from C.R. 532 to S.R. 429 |
| 4 I-75 from Golden Gate Pkwy. to Corkscrew Rd. | 14 I-275 from 38th Ave. N to 4th St. N |
| 5 S.R. 29 from C.R. 846 E to New Market Rd. | 15 I-4 at S.R. 33 Interchange |
| 6 S.R. 29 from New Market Rd. to S.R. 82 | 16 I-4 from U.S. 27 to ChampionsGate |
| 7 I-10 from Eastbound weigh station to Nine Mile Rd. | 17 I-75 at Fruitville Rd. Interchange |
| 8 S.R. 283 from S.R. 61 to C.R. 2203 | 18 W Midway Rd. from Glades Cut Off Rd. to Jenkins Rd. |
| 9 S.R. 70 from Bourmeside Blvd. to Waterbury Rd. | 19 U.S. 301 Realignment from C.R. 470 to Florida's Turnpike |
| 10 I-75 Auxiliary Lanes from S.R. 44 to S.R. 326 | 20 I-95 at U.S. 1 Interchange in Volusia Co. |

Moving Florida Forward Projects
 Construction and Design-Build Projects greater than \$20M in FY24-28 Adopted Work Program
2045 Congestion
 High
 Low



2023 Request
\$7B + policy proposals

2023 Funding Received
\$4B in NR GR

FDOT Closes the Gaps
\$1.7B in Bonding & Loans

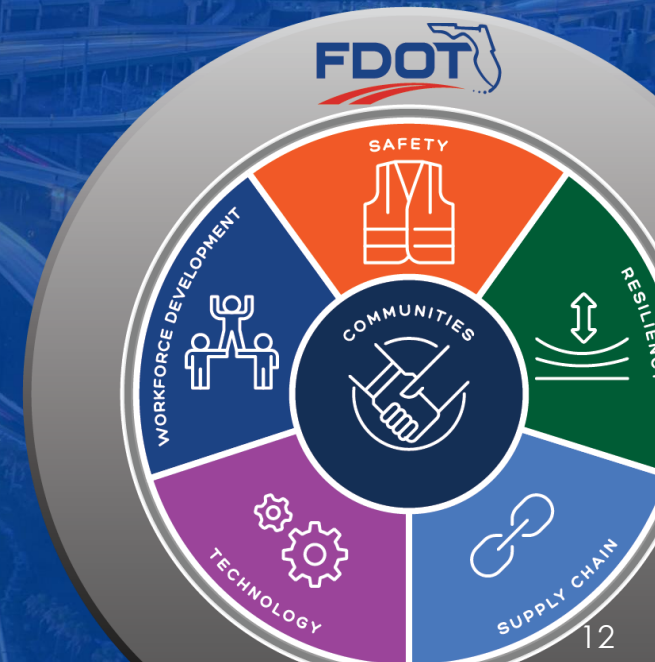
Remaining Need to Fully Fund All Projects
\$630M in NR GR + \$512M in Interest Earnings

View construction schedules and project renderings at
[FDOT.gov/MovingFloridaForward](https://www.fdot.gov/MovingFloridaForward)

QUESTIONS?

Jack Rogers
Legislative Affairs Director

Jack.Rogers@dot.state.fl.us
850-414-4147



The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

FLASMV Assembly Bill

Bill Number or Topic

12/6/23

Meeting Date

Transportation

Committee

Amendment Barcode (if applicable)

Name Dave Kerner

Phone 850-687-0579

Address 2900 Apalachee Parkway

Street

Email Davekerner@flsmv.gov

Tallahassee

City

FL

State

32399

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

FLHSMV Agency Bill

Bill Number or Topic

12/6/2023

Meeting Date

Transportation

Committee

Amendment Barcode (if applicable)

Name Troy Thapson

Phone 813-376-4313

Address 2900 Apalachee Park

Email troy.thapson@FLHSMV.gov

Tallahassee FL 32327

City

State

Zip

Speaking: [] For [] Against [x] Information OR Waive Speaking: [] In Support [] Against

PLEASE CHECK ONE OF THE FOLLOWING:

[x] I am appearing without compensation or sponsorship.

[] I am a registered lobbyist, representing:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

12/06/2023

The Florida Senate
APPEARANCE RECORD

FDOT Legislative Priorities

Meeting Date

Deliver both copies of this form to
Senate professional staff conducting the meeting

Bill Number or Topic

Transportation Committee

Committee

Amendment Barcode (if applicable)

Name **Secretary Jared Perdue**

Phone **850-414-4147**

Address **605 Suwannee Street**

Email **Jakc.Rogers@dot.state.fl.us**

Street

Tallahassee

Florida

32399

City

State

Zip

Speaking: For Against Information **OR** Waive Speaking: In Support Against

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: CS/SB 28

INTRODUCER: Transportation Committee and Senator Hooper

SUBJECT: License Taxes

DATE: December 7, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Johnson</u>	<u>Vickers</u>	<u>TR</u>	<u>Fav/CS</u>
2.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 28 imposes specified additional license taxes on certain electric vehicles. The bill defines the terms “electric motorcycle,” “plug-in hybrid electric motorcycle,” and “plug-in hybrid electric vehicle and modifies the definition of the term “electric vehicle.”” The bill imposes taxes on such vehicles in addition to registration fees currently assessed against non-electric vehicles and authorizes biennial registration of such vehicles. The additional taxes imposed apply to an initial or renewal registration that has a renewal period beginning on or after October 1, 2024.

The bill provides for distribution of the proceeds of such fees to the State Transportation Trust Fund (STTF) and to the county where such a vehicle is registered, and requires the Department of Highway Safety and Motor Vehicles (DHSMV) to transfer funds allocated to a county to the Department of Revenue (DOR) for distribution, as specified. The bill restricts local government use of transferred proceeds to transportation expenditures, as defined in current law; exempts certain electric and plug-in hybrid electric vehicles from the additional tax; and provides that the additional fees expire on June 30, 2034. The bill also makes necessary conforming revisions.

The Revenue Estimating Conference determined on November 3, 2023, that the bill would increase receipts to the STTF and to county and municipal governments for Fiscal Years 2024-25 through 2028-29 by a total of \$65 million recurring. DHSMV expects to incur expenses associated with programming and implementation. See the “Fiscal Impact” heading for additional details.

The bill takes effect July 1, 2024.

II. Present Situation:

The Impact of Electric Vehicles on Revenues

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

Projections for EV sales vary, but a literature review suggests a general consensus that while EV adoption will not significantly impact state revenues in the near-term, EV sales will continue to increase over the long-term, at least to some extent supported by federal, state, local, and utility incentives for EV purchases.¹ The Florida Department of Transportation's (FDOT's) *EV Infrastructure Master Plan*, completed in July of 2021, concludes that negative impacts to motor-fuel based revenue streams in Florida could range between 5.6 percent and 20 percent by the year 2040, depending on the rate of growth of EV sales.²

The National Perspective

Traditional funding for repairs and improvements to the nation's highways comes primarily from state and federal taxes collected at the pump. A perceived inequity may exist, in that electric vehicles do not require motor fuel to operate, or at least as much in the case of vehicles that operate on a combination of electricity and gasoline or diesel, compared to motor vehicles with internal combustion engines. The assertion is that EV owners may not be fairly contributing to the cost of constructing and maintaining public roads through payment of "traditional" registration fees.

According to the National Conference of State Legislatures (NCSL), many states face declining gas tax revenues, and "one common policy" to address the decline is to impose a separate registration fee for certain EVs to address the issues of declining revenues and fair contribution.³ The following may serve to generally highlight the trend:

- Thirty-two states impose some form of a special registration fee for electric vehicles, which is in addition to the registration fee for motor vehicles with internal combustion engines.
- Of those, 19 states also assess a fee on plug-in vehicles that operate on a combination of electricity and gasoline. The fees range from \$65 in Iowa to \$100 in Alabama, Arkansas, Ohio, and West Virginia.

¹ For a description of the Inflation Reduction Act's 2022 re-vamped tax credit of up to \$7,500 for certain all-electric and plug-in hybrid electric vehicles, see Vincent, J. and Threewitt, C., available at [How Does the Electric Car Tax Credit Work? / U.S. News \(usnews.com\)](#). For a compilation of available incentives offered by states, local governments, and utilities, see Wakefield, C., September 1, 2023, available at [Electric Car Rebates and Incentives: What To Know by State - Kelley Blue Book \(kbb.com\)](#) (last visited October 13, 2023).

² See the FDOT's *EV Infrastructure Master Plan*, p. 30 of 52, available at [fdotemp.pdf \(windows.net\)](#) (last visited October 12, 2023).

³ See [ncsl.org, Special Fees on Plug-In Hybrid and Electric Vehicles \(ncsl.org\)](#) (last visited October 12, 2023).

- Ten states⁴ enacted laws in 2019 amending or adding new fees for plug-in electric and some plug-in hybrid vehicles, with fees ranging from \$50 per year in Colorado, South Dakota, and Hawaii, to \$225 for a plug-in electric vehicle in Washington.
- The enacted legislation in Alabama, Arkansas, Ohio, and Wyoming set or increased fees for EVs to \$200 annually. In 2021, South Dakota law was revised to impose a fee of \$50 for all EVs, and Oklahoma tiered its EV fees based on vehicle weight. Louisiana enacted legislation in 2022 imposing a \$110 fee for EVs and a \$60 fee for plug-in hybrids.⁵
- At least five states tie the additional registration fees to the consumer price index or another inflation-related metric and periodically increase the fees (California, Indiana, Michigan, Mississippi, and Utah).⁶

Although the exact number of states that impose additional registration fees on electric and plug-in hybrid electric motorcycles is not readily available, a brief search revealed at least three states, Washington, Iowa, and Minnesota,⁷ that do so.

Revenue from these additional registration fees is, according to the NCSL, most often directed to a state transportation trust fund as a fair contribution to the cost of constructing and maintaining the public roads, with a few states also allocating some of the revenue to support EV charging infrastructure and small amounts to other uses.⁸

Types of Electric Vehicles

The U.S. Department of Energy’s Alternative Fuels Data Center uses the term, “electric-drive vehicles,” to collectively refer to all-electric vehicles (AEVs), hybrid electric vehicles (HEVs), and plug-in hybrid electric vehicles (PHEVs):

- AEVs use a battery to store the electric energy that powers the motor. AEVs do not have an internal combustion engine and are solely powered by electricity. AEV batteries are usually charged by plugging the vehicle into an electric power source.
- PHEVs are powered by an internal combustion engine that can run on conventional or alternative fuel and an electric motor that uses energy stored in a battery, and are plugged into an electric power source to charge the battery. PHEVs can travel various distances on electricity alone but can also operate solely on motor fuel.

⁴ Alabama, Arkansas, Hawaii, Illinois, Iowa, Kansas, North Dakota, Ohio, Washing and Wyoming.

⁵ *Supra* note 4. Scroll down to the “*State Action*” heading. The definitions, fees, and fee distributions for each state are reflected under the heading *States With Fees on Plug-In and/or Electric Vehicles*.

⁶ At least two states have alternatively enacted road user charges (Oregon and Utah), also known as vehicle miles traveled fees or mileage based user fees and, according to the Transportation Investment Advocacy Center (TIAC), as of May, 2022, three states (Pennsylvania, Iowa, and Oklahoma) had enacted excise taxes on the electricity that powers electric vehicles. See the TIAC’s *Electric Vehicle Excise Tax Model Language*, Appendix B, available at [2022 Electric Vehicle Excise Tax Model Language-2.pdf \(transportationinvestment.org\)](https://www.transportationinvestment.org/2022-Electric-Vehicle-Excise-Tax-Model-Language-2.pdf) (last visited October 12, 2023).

Further, at least 10 states have enacted studies or pilot programs examining the feasibility of road user charges, supported by the federal Surface Transportation System Funding Alternatives grant program. *Supra* note 3. Scroll down to the “*Road User Charges*” heading.

⁷ Thirty dollars annually in Washington, [RCW 46.17.323: Electric vehicle registration renewal fees—Electric motorcycles](https://leg.wa.gov/bills/2022/RCW_46.17.323).; \$9 annually in Iowa, [HF767.pdf \(iowa.gov\)](https://legis.iowa.gov/legislation/bills/2022/HF767); and \$10 annually in Minnesota for all-electric motorcycles, [sf1086\(hf2250\)_1 electric surcharges.pdf \(state.mn.us\)](https://legis.mn.us/sfs/2022/sf1086/hf2250_1_electric_surcharges.pdf) (last visited December, 4, 2023).

⁸ *Supra* note 4. Scroll down to the “*State Action*” heading.

- HEVs are primarily powered by an internal combustion engine that runs on conventional or alternative fuel and an electric motor that uses energy stored in a battery. An HEV battery is charged through regenerative braking and by the internal combustion engine and is not plugged in to charge.⁹

State definitions are not always consistent with the above definitions and contain some variation.

Florida's Registration Structure and Electric Vehicles

Florida's definition of the term "motor vehicle" for registration purposes is quite broad and includes motorcycles along with other vehicles.¹⁰ All vehicles meeting the definition, with some exceptions, are required to be registered in this state.¹¹ Current law imposes an initial registration fee (a license tax) of \$225 on automobiles and tri-vehicles for private use, certain trucks, and motor homes and truck campers.¹² Thereafter, registration is generally based on the class and weight of the vehicle. The fees range generally from \$5 for a moped to \$1,322 for heavy trucks or truck tractors and wreckers.¹³

After monthly distributions for education purposes, for completion of the interstate highway system, and for the Florida Seaport Transportation and Economic Development Program, the remaining proceeds from registration fees are deposited in the STTF.¹⁴

Current law defines the term "electric vehicle" for registration purposes as a motor vehicle that is powered by an electric motor that draws current from rechargeable storage batteries, fuel cells, or other sources of electrical current.¹⁵ The license tax for an EV is the same as that prescribed in law for a vehicle that is not electrically powered.¹⁶

Thus, Florida law currently makes no distinction between the types of EVs in its definition, as all-electric *and* hybrid electric vehicles, plug-in or regenerative, are in fact powered, in whole or in part, by an electric motor that draws current from rechargeable storage batteries or other sources of electrical current. The definition does not require that an electric vehicle be *solely* powered as described. Additionally, Florida law does not charge a fee in addition to the registration fee for a "traditional" vehicle as some 32 other states do, for registration of electric vehicles, nor does the state impose an additional registration fee on electric or plug-in hybrid electric motorcycles.

⁹ See U.S. Department of Energy, [Alternative Fuels Data Center: Electric Vehicles \(energy.gov\)](https://www.energy.gov/alternative-fuels-data-center/electric-vehicles) (last visited October 13, 2023).

¹⁰ Section 320.01(1), F.S. Section 320.01(26), F.S., defines the term "motorcycle" to mean any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground. The term includes an autocycle, as defined in s. 316.003, F.S., but excludes a tractor, a moped, or any vehicle in which the operator is enclosed by a cabin unless it meets the requirements set forth by the National Highway Traffic Safety Administration for a motorcycle.

¹¹ Section 320.02, F.S.

¹² Section 320.072, F.S.

¹³ Section 320.08, F.S.

¹⁴ Section 320.20, F.S.

¹⁵ Section 320.01(36), F.S.

¹⁶ Section 320.08001, F.S.

Credits or Refunds and Delinquent Fees

Section 320.08056(8), F.S., provides for the discontinuance of specialty license plates, and provides that once a specialty license plate has been discontinued, a vehicle owner or lessee issue such plate may keep the plate for the remainder of the 10-year license plate replacement period.

Section 320.15(2), F.S., provides that a motor vehicle registrant or mobile home owner who has renewed a motor vehicle registration during the advance renewal period¹⁷ and who surrenders the license plate for the vehicle before the end of the renewal period may apply for a refund of the license taxes assessed in s. 320.08, F.S.

Biennial Registration

Currently, any person who owns a specified vehicle¹⁸ that is required to be registered¹⁹ may renew the registration biennially during the applicable renewal period upon payment of the two-year cumulative total; i.e., double the amount of the applicable annual license tax (as well as the service charge and surcharge).²⁰

Local Option Fuel Taxes

County governments are authorized to levy up to 12 cents of local option fuel taxes in three separate levies on fuel sold within the county.²¹ Relevant for purposes of the bill is a tax of one to six cents on every net gallon of motor and diesel fuel sold within a county.²² Generally, this tax is levied by ordinance adopted by a majority vote of the governing body or upon approval by referendum.²³ Revenues from the tax are remitted to the Department of Revenue (DOR) by the licensed terminal supplier who owned the fuel immediately prior to removal from storage²⁴ and transferred to the Local Option Fuel Tax Trust Fund.²⁵

DOR distributes the tax proceeds monthly²⁶ according to distribution factors determined at the local level by interlocal agreement between the county and municipalities within the county's boundaries. If no such agreement is established, a local government's distribution is generally based on the transportation expenditures of that local government for the immediately preceding five fiscal years as a proportion of the sum total of such expenditures for the respective county

¹⁷ The advance renewal period is pursuant to s. 320.071, F.S.

¹⁸ Generally, motorcycles and mopeds; automobiles or tri-vehicles for private use; light-duty trucks and heavy duty trucks and truck tractors of a certain weight; motor vehicles for hire; trailers for private use; trailers for hire; recreational vehicle-type units; park trailers, travel trailers, and fifth-wheel trailers of a certain length; and mobile homes. *Infra* note 18.

¹⁹ Sections 320.08(1)-(3), (4)(a) or (b), and (6) – (11), F.S.

²⁰ *See* s. 320.03, F.S.

²¹ *See* floridarevenue.com, [Florida Dept. of Revenue - Local Option Taxes \(floridarevenue.com\)](http://floridarevenue.com) (last visited December 4, 2023).

²² Section 336.025(1)(a), F.S. Local option tax rates on diesel fuel are “equalized” statewide, meaning that the full six cents, and another 1 cent per s. 336.021(1)(a), F.S., is levied on every net gallon of diesel fuel sold in every county. Seven cents’ worth of local option tax revenue on diesel fuel is distributed to local governments, regardless of whether the county is levying these two taxes. *Id.*

²³ *See* s. 335.025(3)(a)1.-3. and (3)(b), F.S.

²⁴ Section 206.41(2), F.S.

²⁵ Section 336.025(2)(a), F.S.

²⁶ *Id.*

and all municipalities within the county.²⁷ County and municipal governments may use the proceeds only for “transportation expenditures.”²⁸

III. Effect of Proposed Changes:

Definitions (Section 1)

The bill amends s. 320.01, F.S., defining and redefining terms as follows:

- “Electric motorcycle” means a motorcycle, as defined in s. 320.01(26), F.S., that is solely powered by an electric motor that draws current from rechargeable storage batteries, fuel cells, or other sources of electrical current.
- “Electric vehicle” means a motor vehicle that is solely powered by an electric motor that draws current from rechargeable storage batteries, fuel cells, or other sources of electrical current. The term includes an electric motorcycle, unless otherwise specified.
- “Plug-in hybrid electric motorcycle” means a motorcycle, as defined in s. 320.01(26), that is equipped to be propelled by an internal combustion engine and an electric motor that draws current from rechargeable storage batteries, fuel cells, or other sources of electrical current that are recharged by an energy source external to the motor vehicle.
- “Plug-in hybrid electric vehicle” means a motor vehicle equipped to be propelled by an internal combustion engine and an electric motor that draws current from rechargeable storage batteries, fuel cells, or other sources of electrical current that are recharged by an energy source external to the motor vehicle. The term includes an electric motorcycle, unless otherwise specified.

An all-electric (or “battery electric”) vehicle would meet the definition of “electric vehicle,” as it is solely powered as described, but not meet the definition of “plug-in hybrid electric vehicle,” as it is not also equipped to be propelled by an internal combustion engine. The definition of “plug-in hybrid electric vehicle” excludes all-electric vehicles, as they are not equipped to be propelled by an internal combustion engine, and excludes hybrid electric vehicles, as they are not recharged by an energy source external to the motor vehicle. The same logic applies to electric and plug-in hybrid electric motorcycles. Under the bill, Florida law would impose additional license taxes, in addition to registration license taxes for non-electric vehicles, only on electric vehicles and plug-in hybrid electric vehicles, as defined. Hybrid electric vehicles that use regenerative braking would not be subject to an additional license tax.²⁹

²⁷ Section 336.025(4)(a), F.S.

²⁸ Section 336.025(7), F.S. The term “transportation expenditures” includes public transportation operations and maintenance; roadway and right-of-way maintenance and equipment and structures used primarily for the storage and maintenance of such equipment; roadway and right-of-way drainage; street lighting installation, operation, maintenance, and repair; traffic signs, traffic engineering, signalization, and pavement markings, installation, operation, maintenance, and repair; bridge maintenance and operation; and debt service and current expenditures for transportation capital projects in the foregoing program areas, including construction or reconstruction of roads and sidewalks. Note that current law authorizes the governing body of a county with a population of 50,000 or less on April 1, 1992, or the governing body of a municipality within such county to use the proceeds in any fiscal year to fund “infrastructure projects” under the conditions and as specified in s. 336.025(8), F.S.

²⁹ Research identified only eight states that impose an additional fee on hybrid electric vehicles that use regenerative braking.

Additional License Taxes, Applicability, Exemption, and Distribution (Section 2)

The bill amends s. 320.08001, F.S., to remove “an electric vehicle” from current law providing that the license tax for such is the same as that prescribed in s. 320.08, F.S., for a vehicle that is not electrically powered, leaving that provision applicable only to a low-speed electric vehicle. Instead, the bill imposes the following annual license taxes in addition to the license taxes prescribed in s. 320.08, F.S.:

- For electric vehicles, an annual license tax of \$200, increasing to \$250 beginning January 1, 2029. The annual license tax for electric motorcycles is \$25, increasing to \$35 on the same date.
- For plug-in hybrid electric vehicles, an annual license tax of \$50, increasing to \$100 on January 1, 2029. The annual license tax for plug-in hybrid electric motorcycles is \$10, increasing to \$20 on the same date.

The additional license taxes expressly apply to an initial registration or renewal registration that has a renewal period beginning on or after October 1, 2024. The bill exempts from the additional annual license tax imposed under the amended section of law an electric or plug-in hybrid electric vehicle that uses a battery storage system of up to five kilowatt hours.

Sixty-four percent of the proceeds from the additional license taxes imposed must be deposited into STTF, and 36 percent must be allocated to the county where the vehicle is registered. The DHSMV must transfer the funds allocated to a county to the FDOR for distribution to the board of county commissioners and municipalities within the county in proportion to the previous quarter’s distribution of the local option fuel taxes. Local governments must use the funds for defined transportation expenditures.³⁰

The bill provides that the registrant of an electric vehicle or plug-in hybrid electric vehicle is not entitled to a credit or refund of any additional license tax for any prior year’s annual license tax payments unless the registration is required by DHSMV to replace a discontinued specialty license plate or meets the requirements of s. 320.15(2), F.S.

The bill provides that any delinquent fee imposed on the registration of any electric vehicle or plug-in hybrid electric vehicle must be imposed in accordance with the schedule listed in s. 320.07(4)(a), based on the license tax prescribed in s. 320.08, F.S., for a vehicle that is not electrically powered.

Expiration of the Additional License Taxes (Section 3)

The bill creates an undesignated section of law providing that the amendments made by the act to s. 320.08001, F.S., expire on June 30, 2034, and the text of that section reverts to that in existence on June 30, 2024, except that any amendments to such text enacted other than by the act are preserved and continue to operate to the extent that such amendments are not dependent upon the portions of text that expire.

³⁰ *Supra* note 27.

Conforming Revision (Section 4)

The bill amends s. 320.07(2)(b), F.S., relating to biennial registration, to insert a conforming cross reference, thereby authorizing biennial registration of the specified vehicles.

Effective Date (Section 5)

The bill takes effect July 1, 2024.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

Not applicable. The bill not does require counties or municipalities to spend funds, reduce counties' or municipalities' authority to raise revenue, or reduce the percentage of state tax shared with counties and municipalities.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

Article VII, s. 19, of the Florida Constitution requires that a new state tax or fee must be approved by two-thirds of the membership of each house of the Legislature and must be contained in a separate bill that contains no other subject. Article VII, s. 19(d)(1), of the Florida Constitution defines "fee" to mean "any charge or payment required by law, including any fee for service, fee or cost for licenses, and charge for service." The bill imposes license taxes in addition to the "base" registration fee for electric and plug-in hybrid electric vehicles, authorizes payment of the additional license taxes biennially, provides for distribution of the proceeds from the additional taxes, and provides an exemption from the additional fees. The bill requires a two-thirds vote of the membership of each house of the Legislature.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

On November 3, 2024,³¹ the Revenue Estimating Conference determined that the bill will increase receipts to the State Transportation Trust Fund and to county and municipal governments for Fiscal Years 2024-25 through 2028-29 as follows:

	GR		Trust		Local/Other		Total	
	Cash	Recurring	Cash	Recurring	Cash	Recurring	Cash	Recurring
2024-25	0.0	0.0	21.0	41.6	11.8	23.4	32.8	65.0
2025-26	0.0	0.0	33.0	41.6	18.6	23.4	51.6	65.0
2026-27	0.0	0.0	35.1	41.6	19.8	23.4	54.9	65.0
2027-28	0.0	0.0	35.7	41.6	20.1	23.4	55.8	65.0
2028-2029	0.0	0.0	41.6	41.6	23.4	23.4	65.0	65.0

B. Private Sector Impact:

Those who register electric vehicles or plug-in hybrid electric vehicles would be subject to the specified additional registration fees.

C. Government Sector Impact:

The DHSMV estimates it will incur \$66,173 for programming and implementation required by the bill.³²

The bill will allow for increased spending on projects funded through the State Transportation Trust Fund.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

³¹ See the Revenue Estimating Conference’s adopted consensus estimate available at [page16-19.pdf \(state.fl.us\)](https://www.state.fl.us/page16-19.pdf) (last visited November 6, 2023).

³² See DHSMV’s 2024 Agency Legislative Bill Analysis for SB 28, July 1, 2024 (on file in the Senate Transportation Committee).

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 320.01, 320.08001 and 320.07.

This bill creates an undesignated section of law.

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on December 6, 2023:

The committee substitute:

- Relocates and amends definitions contained in the bill to s. 320.01, F.S., the definitions section of that chapter, to provide consistency in the use of defined terms.
- Creates additional license taxes for electric motorcycles and plug-in hybrid electric motorcycles.
- Clarifies that any refunds for the additional license taxes are available only under the same circumstances that refunds are presently available for non-electric vehicles.
- Removes duplicative language authorizing biennial registration of the specified vehicles.
- Clarifies that the delinquent fee imposed on persons who fail to timely renew a vehicle registration for the specified vehicles is calculated based on the license tax for a vehicle that is not electrically powered.

- B. **Amendments:**

None.



495372

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/06/2023	.	
	.	
	.	
	.	

The Committee on Transportation (Hooper) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Present subsection (36) and subsections (37) through (45) of section 320.01, Florida Statutes, are redesignated as subsection (37) and subsections (40) through (48), respectively, new subsections (36), (38), and (39) are added to that section, and present subsection (36) of that section is amended, to read:



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11 320.01 Definitions, general.—As used in the Florida
12 Statutes, except as otherwise provided, the term:

13 (36) “Electric motorcycle” means a motorcycle, as defined
14 in s. 320.01(26), powered solely by an electric motor that draws
15 current from rechargeable storage batteries, fuel cells, or
16 other sources of electrical current.

17 (37) ~~(36)~~ “Electric vehicle” means a motor vehicle ~~that is~~
18 powered solely by an electric motor that draws current from
19 rechargeable storage batteries, fuel cells, or other sources of
20 electrical current. The term includes an electric motorcycle
21 unless otherwise specified.

22 (38) “Plug-in hybrid electric motorcycle” means a
23 motorcycle, as defined in s. 320.01(26), powered by an internal
24 combustion engine and an electric motor that draws current from
25 rechargeable storage batteries, fuel cells, or other sources of
26 electrical current which are recharged by an energy source
27 external to the motor vehicle.

28 (39) “Plug-in hybrid electric vehicle” means a motor
29 vehicle powered by an internal combustion engine and an electric
30 motor that draws current from rechargeable storage batteries,
31 fuel cells, or other sources of electrical current which are
32 recharged by an energy source external to the motor vehicle. The
33 term includes a plug-in hybrid electric motorcycle unless
34 otherwise specified.

35 Section 2. Section 320.08001, Florida Statutes, is amended
36 to read:

37 320.08001 Low-speed, electric, and plug-in hybrid electric
38 vehicles; license tax.—

39 (1) The license tax for a ~~an electric vehicle or~~ low-speed



40 electric vehicle is the same as that prescribed in s. 320.08 for
41 a vehicle that is not electrically powered.

42 (2) In addition to the license tax prescribed in s. 320.08,
43 there is imposed an annual license tax of \$200 on electric
44 vehicles, except that the additional annual license tax for
45 electric motorcycles is \$25. Beginning January 1, 2029, the
46 additional annual license tax shall be \$250, except that the
47 annual license tax for electric motorcycles shall be \$35.

48 (3) In addition to the license tax prescribed in s. 320.08,
49 there is imposed an annual license tax of \$50 on plug-in hybrid
50 electric vehicles, except that the annual license tax for plug-
51 in hybrid electric motorcycles shall be \$10. Beginning January
52 1, 2029, the additional annual license tax shall be \$100, except
53 that the annual license tax for plug-in hybrid electric
54 motorcycles shall be \$20.

55 (4) Of the proceeds from the additional annual license
56 taxes imposed under subsections (2) and (3), 64 percent must be
57 deposited into the State Transportation Trust Fund and 36
58 percent must be allocated to the county where the vehicle is
59 registered. Each quarter, the department shall transfer the
60 funds allocated to a county to the Department of Revenue for
61 distribution to the board of county commissioners and
62 municipalities within the county in proportion to the previous
63 quarter's distribution of the local option fuel taxes authorized
64 under s. 336.025(1)(a). Local governments shall use funds
65 received pursuant to this subsection for transportation
66 expenditures as defined in s. 336.025(7).

67 (5) An electric vehicle or a plug-in hybrid electric
68 vehicle that uses a battery storage system of up to 5 kilowatt



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69 hours is exempt from the additional annual license tax imposed
70 under this section.

71 (6) The additional annual license taxes imposed under this
72 section apply to an initial registration or renewal registration
73 that has a renewal period beginning on or after October 1, 2024.

74 (7) The registrant of an electric vehicle or a plug-in
75 hybrid electric vehicle is not entitled to a credit or refund
76 for the additional annual license tax imposed by subsection (2)
77 or subsection (3) for any prior year's annual license tax
78 payments unless the registrant is required by the department to
79 replace a license plate pursuant to s. 320.08056(8) or the
80 registrant meets the requirements of s. 320.15(2).

81 (8) Any delinquent fee imposed on the registrant of any
82 electric vehicle or plug-in hybrid electric vehicle pursuant to
83 s. 320.07(4)(a) must be imposed in accordance with the schedule
84 listed in that paragraph, based on the license tax prescribed in
85 s. 320.08 for a vehicle that is not electrically powered.

86 Section 3. The amendments made by this act to s. 320.08001,
87 Florida Statutes, shall expire on June 30, 2034, and the text of
88 that section shall revert to that in existence on June 30, 2024,
89 except that any amendments to such text enacted other than by
90 this act shall be preserved and continue to operate to the
91 extent that such amendments are not dependent upon the portions
92 of text which expire pursuant to this section.

93 Section 4. Paragraph (b) of subsection (2) of section
94 320.07, Florida Statutes, is amended to read:

95 320.07 Expiration of registration; renewal required;
96 penalties.—

97 (2) Registration shall be renewed semiannually, annually,



495372

98 or biennially, as provided in this subsection, during the
99 applicable renewal period, upon payment of the applicable
100 license tax amounts required by s. 320.08, service charges
101 required by s. 320.04, and any additional fees required by law.

102 (b) Any person who owns a motor vehicle or mobile home
103 registered under s. 320.08(1), (2), (3), (4)(a) or (b), (6),
104 (7), (8), (9), (10), or (11) may renew the vehicle registration
105 biennially during the applicable renewal period upon payment of
106 the 2-year cumulative total of all applicable license tax
107 amounts required by ss. 320.08 and 320.08001, as applicable, ~~s.~~
108 ~~320.08~~ and service charges or surcharges required by ss. 320.03,
109 320.04, 320.0801, 320.08015, 320.0802, 320.0804, 320.0805,
110 320.08046, and 320.08056 and payment of the 2-year cumulative
111 total of any additional fees required by law for an annual
112 registration.

113 Section 5. This act shall take effect July 1, 2024.

114

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

116 And the title is amended as follows:

117 Delete everything before the enacting clause
118 and insert:

119 A bill to be entitled
120 An act relating to license taxes; amending s. 320.01,
121 F.S.; defining the terms "electric motorcycle," "plug-
122 in hybrid electric motorcycle," and "plug-in hybrid
123 electric vehicle"; revising the definition of the term
124 "electric vehicle"; amending s. 320.08001, F.S.;
125 imposing specified additional annual license taxes on
126 electric vehicles and plug-in hybrid electric



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127 vehicles; increasing such taxes beginning on a
128 specified date; providing for the distribution of
129 proceeds from the additional license taxes; specifying
130 requirements for the use of the proceeds by local
131 governments; providing that certain vehicles are
132 exempt from specified license taxes; providing
133 applicability; providing that the registrant of an
134 electric vehicle or a plug-in hybrid electric vehicle
135 is not entitled to a credit or refund for certain
136 additional license tax except under certain
137 conditions; providing for imposition of a specified
138 delinquent fee; providing for future expiration and
139 reversion; amending s. 320.07, F.S.; conforming
140 provisions to changes made by the act; providing an
141 effective date.

By Senator Hooper

21-00169A-24

202428__

1 A bill to be entitled
 2 An act relating to license taxes; amending s.
 3 320.08001, F.S.; defining the terms "electric vehicle"
 4 and "plug-in hybrid electric vehicle"; conforming a
 5 provision to changes made by the act; imposing
 6 specified additional annual license taxes on electric
 7 vehicles and plug-in hybrid electric vehicles;
 8 increasing such taxes beginning on a specified date;
 9 authorizing persons and entities to biennially renew
 10 vehicle registrations for electric vehicles and plug-
 11 in hybrid electric vehicles; providing for the
 12 distribution of proceeds from the additional license
 13 taxes; specifying requirements for the use of the
 14 proceeds by local governments; providing that certain
 15 vehicles are exempt from specified license taxes;
 16 providing applicability; providing for future
 17 expiration and reversion; amending s. 320.07, F.S.;
 18 conforming provisions to changes made by the act;
 19 providing an effective date.

20
 21 Be It Enacted by the Legislature of the State of Florida:

22
 23 Section 1. Section 320.08001, Florida Statutes, is amended
 24 to read:

25 320.08001 Low-speed, electric, and plug-in hybrid electric
 26 vehicles; license tax.-

27 (1) For purposes of this section, the term:

28 (a) "Electric vehicle" means a motor vehicle powered solely
 29 by an electric motor that draws current from rechargeable

Page 1 of 4

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

21-00169A-24

202428__

30 storage batteries, fuel cells, or other sources of electrical
 31 current.

32 (b) "Plug-in hybrid electric vehicle" means a motor vehicle
 33 equipped to be propelled by an internal combustion engine and an
 34 electric motor that draws current from rechargeable storage
 35 batteries, fuel cells, or other sources of electrical current
 36 which are recharged by an energy source external to the motor
 37 vehicle.

38 (2) The license tax for a ~~an electric vehicle~~ or low-speed
 39 vehicle is the same as that prescribed in s. 320.08 for a
 40 vehicle that is not electrically powered.

41 (3) In addition to the license tax prescribed in s. 320.08,
 42 there is imposed an annual license tax of \$200 on electric
 43 vehicles. Beginning January 1, 2029, the additional annual
 44 license tax shall be \$250.

45 (4) In addition to the license tax prescribed in s. 320.08,
 46 there is imposed an annual additional license tax of \$50 on
 47 plug-in hybrid electric vehicles. Beginning January 1, 2029, the
 48 additional annual license tax shall be \$100.

49 (5) Any person or entity that registers an electric vehicle
 50 or a plug-in hybrid electric vehicle may renew the vehicle
 51 registration biennially in accordance with s. 320.07(2)(b).

52 (6) Of the proceeds from the additional annual license
 53 taxes imposed under subsections (3) and (4), 64 percent must be
 54 deposited into the State Transportation Trust Fund and 36
 55 percent must be allocated to the county where the vehicle is
 56 registered. Each quarter, the department shall transfer the
 57 funds allocated to a county to the Department of Revenue for
 58 distribution to the board of county commissioners and

Page 2 of 4

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21-00169A-24 202428__

59 municipalities within the county in proportion to the previous
 60 quarter's distribution of the local option fuel taxes authorized
 61 under s. 336.025(1)(a). Local governments shall use funds
 62 received pursuant to this subsection for transportation
 63 expenditures as defined in s. 336.025(7).

64 (7) An electric vehicle or a plug-in hybrid electric
 65 vehicle that uses a battery storage system of up to 5 kilowatt
 66 hours is exempt from the additional annual license tax imposed
 67 under this section.

68 (8) The additional license taxes imposed under this section
 69 apply to an initial registration or renewal registration that
 70 has a renewal period beginning on or after October 1, 2024.

71 Section 2. The amendments made by this act to s. 320.08001,
 72 Florida Statutes, expire on June 30, 2034, and the text of that
 73 section shall revert to that in existence on June 30, 2024,
 74 except that any amendments to such text enacted other than by
 75 this act shall be preserved and continue to operate to the
 76 extent that such amendments are not dependent upon the portions
 77 of text which expire pursuant to this section.

78 Section 3. Paragraph (b) of subsection (2) of section
 79 320.07, Florida Statutes, is amended to read:

80 320.07 Expiration of registration; renewal required;
 81 penalties.-

82 (2) Registration shall be renewed semiannually, annually,
 83 or biennially, as provided in this subsection, during the
 84 applicable renewal period, upon payment of the applicable
 85 license tax amounts required by s. 320.08, service charges
 86 required by s. 320.04, and any additional fees required by law.

87 (b) Any person who owns a motor vehicle or mobile home

Page 3 of 4

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21-00169A-24 202428__

88 registered under s. 320.08(1), (2), (3), (4)(a) or (b), (6),
 89 (7), (8), (9), (10), or (11) may renew the vehicle registration
 90 biennially during the applicable renewal period upon payment of
 91 the 2-year cumulative total of all applicable license tax
 92 amounts required by ss. 320.08 and 320.08001, as applicable, ~~or~~
 93 ~~320.08~~ and service charges or surcharges required by ss. 320.03,
 94 320.04, 320.0801, 320.08015, 320.0802, 320.0804, 320.0805,
 95 320.08046, and 320.08056 and payment of the 2-year cumulative
 96 total of any additional fees required by law for an annual
 97 registration.

98 Section 4. This act shall take effect July 1, 2024.

Page 4 of 4

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The Florida Senate

APPEARANCE RECORD

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SB 28
LICENSE TAXES

12/6/23

Meeting Date

Bill Number or Topic

495372

Amendment Barcode (if applicable)

TRANSPORTATION

Committee

Name

WINN PEEPLES

Phone

350 524 2038

Address

201 S. MONROE, 4TH FLOOR

Email

Winnpeeples@aol.com

Street

TALL

FL

32301

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

MOTORCYCLE INDUSTRY COUNCIL

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](https://www.flsenate.gov/2020-2022-Joint-Rules.pdf)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

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12/6/23

Meeting Date

28

Bill Number or Topic

TRANSPORTATION

Committee

Amendment Barcode (if applicable)

Name

JEFFREY STARBUCK

Phone

857 224-1600

Address

606 E College Ave # 1110

Email

JEFFREY.STARBUCK@jeffstark.com

Street

TX

State

75230

Zip

City

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

TESLA

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

0028

12/06/2023

Meeting Date

Bill Number or Topic

TRANSPORTATION

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

ANANTH PRASAD

Phone

(850) 942-1405

Address

1007 E DESOTO PARK DRIVE

Email

aprasad@ftba.com

Street

TAUHAASSEE

State

FL

Zip

32301

City

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

FLORIDA TRANSPORTATION BUILDERS ASSOC

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB-28

6-Dec-2023

Meeting Date

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Transportation

Committee

Amendment Barcode (if applicable)

Name Kenneth Hays

Phone 850 980 7053

Address 1935 Nanticoke Cir

Email

Street

Tallahassee FL 32303

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 28

Dec 6, 2023

Meeting Date

Bill Number or Topic

Deliver both copies of this form to Senate professional staff conducting the meeting

Transportation Senate

Committee

Amendment Barcode (if applicable)

Name Leighanne Boone

Phone 407-719-8652

Address

Street

Email Leighanne.Boone@gmail.com

Tallahassee FL 32301

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

12-6-23

Meeting Date

28

Bill Number or Topic

TRANS

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name

DAVID EWELLEN

Phone

941-323-2404

Address

816 THARPE

Street

Email

collenasee@gmail.com

TLH

City

FL

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

SIERRA CLUB FL

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to
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Dec 6, 2023

Meeting Date

SB28

Bill Number or Topic

TRANSPORTATION

Committee

Amendment Barcode (if applicable)

Name ED OAKSFORD

Phone 850-556-8325

Address 2520 HARRIMAN CIR

Street

Email etoaksford@gmail.com

TALLAHASSEE FL 32308

City

State

Zip

Speaking: For Against Information

OR

Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

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S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

12/6/2023

Meeting Date

28

Bill Number or Topic

Transportation

Committee

Amendment Barcode (if applicable)

Name Jeff Branch

Phone 701-3655

Address

Email jbranch@flcourts.com

Street

Tallahassee

FL

State

32302

Zip

City

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

Florida League of Cities

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

SB 28

12/16/23

Meeting Date

Bill Number or Topic

Transportation

Committee

Deliver both copies of this form to Senate professional staff conducting the meeting

Amendment Barcode (if applicable)

Name Carolyn Johnson

Phone 521-1200

Address 134 S Parsonage St

Email cjohnson@flchamber.com

Street

Tallahassee FL

32301

City

State

Zip

Speaking: For Against Information OR Waive Speaking: In Support Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

FL Chamber of Commerce

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

While it is a tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this hearing. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard. If you have questions about registering to lobby please see Fla. Stat. §11.045 and Joint Rule 1. [2020-2022 Joint Rules.pdf \(flsenate.gov\)](#)

This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate

APPEARANCE RECORD

Deliver both copies of this form to Senate professional staff conducting the meeting

SB 28

Bill Number or Topic

Dec 6, 2023

Meeting Date

Senate Transportation

Committee

Amendment Barcode (if applicable)

Name Doreyl Alfred

Phone 850 284 3302

Address

Email darwavemaker@gmail.com

Street

Tallahassee FL 32303

City

State

Zip

Speaking:

For

Against

Information

OR

Waive Speaking:

In Support

Against

PLEASE CHECK ONE OF THE FOLLOWING:

I am appearing without compensation or sponsorship.

I am a registered lobbyist, representing:

I am not a lobbyist, but received something of value for my appearance (travel, meals, lodging, etc.), sponsored by:

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This form is part of the public record for this meeting.

S-001 (08/10/2021)

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: CS/SB 60

INTRODUCER: Transportation Committee and Senator Harrell

SUBJECT: Specialty License Plates/General Aviation

DATE: December 7, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Shutes	Vickers	TR	Fav/CS
2.			ATD	
3.			FP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 60 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate for General Aviation. The annual use fee for the plate is \$25.

Proceeds of the sale of the General Aviation specialty license plate will be distributed to the Aerospace Center for Excellence located in Lakeland to fund scholarships for students who are pursuing careers in the field of aviation.

The DHSMV estimates programming and implementation of the plate will cost \$7,680.

The bill takes effect October 1, 2024.

II. Present Situation:

Aerospace Center for Excellence

Aerospace Center for Excellence is a Florida not-for-profit corporation registered with the Florida Department of State.¹ The organization's statement of purpose is "to engage, educate and accelerate the next generation of aerospace professionals."²

¹ Florida Department of State: Division of Corporations, *Aerospace Center for Excellence, Inc.*, Sunbiz.org, Document number N00000007283 (October 10, 2023).

² *Id.*

The organization was founded in 2014, and consists of staff members focused on education, scholarships and events to achieve their vision of “building a brighter future through aviation.” The Aerospace Center for Excellence hosts summer camps and student outreach programs that are presented by the staff to over 30,000 students annually. The organization provides educational support to the aerospace industry to include pilot, maintenance technicians and college scholarships.³

Specialty License Plates

As of December 2023, there are 144 specialty license plates authorized by the Legislature. Of these plates, 109 are available for immediate purchase and 31 are in the presale process.⁴ Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.⁵ The annual use fees are distributed to organizations in support of a particular cause or charity signified on the plate’s design and designated in statute.⁶

In order to establish a specialty license plate and after the plate is approved by law, s. 320.08053, F.S., requires the following actions within certain timelines:

- Within 60 days, the organization must submit an art design for the plate, in a medium prescribed by the DHSMV;
- Within 120 days, the DHSMV must establish a method to issue presale vouchers for the specialty license plate; and
- Within 24 months after the presale vouchers are established, the organization must obtain a minimum of 3,000 voucher sales before manufacturing of the plate may begin.⁷

If the minimum sales requirement has not been met by the end of the 24-month presale period, then the DHSMV will discontinue the plate and issuance of presale vouchers. Upon discontinuation, a purchaser of a presale voucher may use the annual use fee as a credit towards any other specialty license plate or apply for a refund with the DHSMV.⁸

New specialty license plates that have been approved by law but are awaiting issuance will be issued in the order they appear in s. 320.08058, F.S., provided that presale requirements have been met. If the next listed specialty license plate has not met the presale requirement, the DHSMV will proceed in the order provided in s. 320.08058, F.S., to identify the next qualified specialty license plate that has met the presale requirement.⁹

³ Aerospace for Excellence, *About*, [About - Aerospace Center For Excellence \(aeeedu.org\)](https://www.aeeedu.org) (last visited October 10, 2023).

⁴ DHSMV Presentation to the Senate Transportation Committee, *Specialty License Plates* (January 24, 2023), slideshow available at https://www.flsenate.gov/Committees/Show/TR/MeetingPacket/5615/10046_MeetingPacket_5615_3.pdf (last visited October 10, 2023).

⁵ Section 320.08056(3)(d), F.S., provides that except if specifically provided in s. 320.08056(4), the annual use fee for a specialty license plate is \$25.

⁶ Section 320.08058, F.S.

⁷ Chapter 2022-189, Laws of Fla., extended the presale requirement by an additional 24 months for an approved specialty license plate organization that, as of June 15, 2022, is in the presale period but had not recorded at least 3,000 voucher sales.

⁸ Section 320.08053(2)(b), F.S.

⁹ Section 320.08053(3)(a), F.S.

If the Legislature has approved 135 or more specialty license plates, the DHSMV may not make any new specialty license plates available for design or issuance until a sufficient number of plates are discontinued so that the number of plates being issued does not exceed 135.¹⁰

Use of Specialty License Plate Fees

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.¹¹ Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.¹²

The annual use fees collected by an organization and the interest earned from those fees may not be used for commercial or for-profit activities, or general or administrative expenses, unless authorized by s. 320.08058, F.S.¹³ Additionally, the annual use fees and interest earned from those fees may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, any employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or any elected member or employee of the Legislature.¹⁴

Discontinuance of Specialty Plates

Prior to June 30, 2023, the DHSMV was required to discontinue the issuance of an approved specialty license plate if the number of valid registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter was mailed to the sponsoring organization following the first month in which the total number of valid specialty license plate registrations fell below 1,000 plates. Collegiate plates for Florida universities were exempt from the minimum specialty license plate requirement.¹⁵ In addition, the DHSMV was authorized to discontinue any specialty license plate if the organization ceased to exist, stopped providing services that are funded from the annual use fee proceeds, or pursuant to an organizational recipient's request.¹⁶

However, effective July 1, 2023, the requirement increased so that the DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid registrations falls below 3,000 or in the case of an out-of-state college or university license plate, 4,000, for at least 12 consecutive months. The DHSMV must mail a warning letter to the sponsoring organization following the first month in which the total number of valid specialty plate registrations is below 3,000, or in the case of an out-of-state college or university license plate, 4,000. This does not apply to in-state collegiate license plates established under s. 320.08058(3), F.S., license plates of institutions in and entities of the State University System, specialty license plates that have statutory eligibility limitations for purchase, specialty license plates for which annual use fees are

¹⁰ Section 320.08053(3)(b), F.S.

¹¹ Section 320.08056(10)(a), F.S.

¹² Section 320.08062, F.S.; Such fees may be used to pay for the cost of this required audit or report. See s. 320.08056(10)(a), F.S.

¹³ Section 320.08056(10)(a), F.S.

¹⁴ Section 320.08056(11), F.S.

¹⁵ Section 320.08056(8)(a), F.S.

¹⁶ Section 320.08056(8)(b), F.S.

distributed by a foundation for student and teacher leadership programs and teacher recruitment and retention, or Florida professional sports team license plates established under s. 320.08058(9), F.S.¹⁷

III. Effect of Proposed Changes:

The bill amends s. 320.08058, F.S., to authorize DHSMV to create a new specialty license plate for General Aviation. The annual use fee for the plate is \$25. The plate must bear the colors and design approved by the department, with the word “Florida” at the top of the plate and the words “Support General Aviation” at the bottom of the plate.

Proceeds from the sale of the plate will be distributed to Aerospace Center for Excellence, Inc. The organization may use up to 10 percent of proceeds to promote and market the plate. The remaining funds must be used to fund scholarships for students in the state of Florida who are pursuing careers in the field of aviation.

The plate will be added to the DHSMV presale voucher process, but will not be produced unless the presale requirement of 3,000 vouchers is met and the 135 plate cap has not been reached.

The bill takes effect October 1, 2024.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None Identified.

¹⁷ Chapter 2020-181, s. 7, Laws of Fla.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

If the specialty license plate is produced, the Aerospace Center for Excellence will receive annual use fees associated with sales of the plate.

C. Government Sector Impact:

The DHSMV estimates programming and implementation of the plate will cost \$7,680.¹⁸

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following section of the Florida Statutes: 320.08058.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS by Transportation on December 6, 2023:**

The committee substitute removes obsolete language and limits the permissible amount for administrative costs and marketing to 10 percent of annual use fees from the sale of the plate.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

¹⁸ DHSMV, *2024 Legislative Bill Analysis: SB 60* (October 23, 2023) at p. 5.



468464

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
12/06/2023	.	
	.	
	.	
	.	

The Committee on Transportation (Harrell) recommended the following:

Senate Amendment

Delete lines 21 - 27
and insert:

(b) The annual use fees from the sale of the plate must be distributed to the Aerospace Center for Excellence located in Lakeland to fund scholarships for students in this state who are pursuing careers in the field of aviation. The Aerospace Center for Excellence may use up to 10 percent of such fees for administrative costs and marketing of the plate. The balance of



468464

11 the fees shall be used by the Aerospace Center for Excellence
12 for the organization's operations, activities, programs, or
13 projects.

By Senator Harrell

31-00168-24

202460__

A bill to be entitled

An act relating to specialty license plates; amending s. 320.08058, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop a General Aviation license plate; providing for distribution and use of fees collected from the sale of the plate; providing an effective date.

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

Section 1. Subsection (127) is added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(127) GENERAL AVIATION LICENSE PLATES.—

(a) The department shall develop a General Aviation license plate as provided in this section and s. 320.08053. The plate must bear the colors and design approved by the department. The word "Florida" must appear at the top of the plate, and the words "Support General Aviation" must appear at the bottom of the plate.

(b) The department shall retain the annual use fees from the sale of the plate until all startup costs associated with the development and issuance of the plate have been recovered. Thereafter, the annual use fees from the sale of the plate must be distributed to the Aerospace Center for Excellence located in Lakeland to fund scholarships for students in this state who are pursuing careers in the field of aviation.

Section 2. This act shall take effect October 1, 2024.

CourtSmart Tag Report

Room: SB 110

Case No.:

Type:

Caption: Senate Committee on Transportation

Judge:

Started: 12/6/2023 11:00:46 AM

Ends: 12/6/2023 12:17:32 PM

Length: 01:16:47

11:00:44 AM Chair DiCeglie calls the meeting to order
11:01:32 AM Roll Call
11:01:37 AM Quorum present
11:01:40 AM Pledge of Allegiance
11:01:59 AM Chair DiCeglie with opening comments
11:02:09 AM Tab 3, SB 60 on Specialty License Plates/General Aviation by Senator Harrell
11:04:10 AM Amendment Barcode #468464
11:04:22 AM Senator Harrell
11:04:41 AM Chair DiCeglie
11:04:48 AM Closure waived
11:04:52 AM Amendment adopted
11:04:55 AM Chair DiCeglie
11:05:05 AM Senator Harrell with closure
11:05:11 AM Roll call
11:05:47 AM CS/SB 60 reported favorably
11:05:57 AM Tab 1, Presentation of Agency Legislative Priorities, Florida Department of Highway Safety and Motor Vehicles, speaker Executive Director Dave Kerner
11:07:35 AM Questions
11:07:47 AM Mr. Kerner
11:08:05 AM Troy Thompson
11:08:46 AM Mr. Kerner
11:09:02 AM Chair DiCeglie
11:09:09 AM Tab 2, Florida Department of Transportation, Secretary Jared Purdue
11:21:11 AM Questions
11:21:13 AM Chair DiCeglie
11:21:26 AM Mr. Purdue
11:23:29 AM Chair DiCeglie
11:23:40 AM Mr. Purdue
11:26:31 AM Senator Torres
11:26:38 AM Mr. Purdue
11:27:21 AM Senator Torres
11:28:17 AM Mr. Purdue
11:31:15 AM Senator Torres
11:31:18 AM Mr. Purdue
11:32:29 AM Senator Gruters
11:32:36 AM Mr. Purdue
11:33:38 AM Vice-Chair Davis
11:33:45 AM Mr. Purdue
11:35:24 AM Chair DiCeglie
11:36:12 AM Tab 2, SB 28 on License Taxes by Senator Hooper
11:36:47 AM Amendment Barcode 459372
11:37:13 AM Senator Hooper
11:37:44 AM Chair DiCeglie
11:37:53 AM Winn Peeples
11:38:06 AM Chair DiCeglie
11:38:12 AM Closure waived
11:38:14 AM Amendment adopted
11:38:20 AM Chair DiCeglie
11:38:24 AM Questions
11:38:31 AM Vice-Chair Davis
11:38:36 AM Senator Hooper
11:41:37 AM Senator Gruters

11:41:47 AM Senator Hooper
11:44:50 AM Senator Gruters
11:44:55 AM Senator Hooper
11:45:28 AM Chair DiCeglie
11:45:39 AM Jeffrey Sharkey
11:50:07 AM Ananth Prasad
11:53:33 AM Kenneth Hays
11:55:24 AM Leighanne Boone
11:56:16 AM David Cullen
12:00:51 PM Vice-Chair Davis
12:00:59 PM Mr. Cullen
12:01:28 PM Ed Oaksford
12:03:31 PM Jeff Branch waives
12:03:44 PM Carolyn Johnson waives
12:03:58 PM Darryl Alfred
12:09:08 PM Chair DiCeglie
12:09:10 PM Debate
12:09:23 PM Vice-Chair Davis
12:10:40 PM Chair DiCeglie
12:11:40 PM Senator Torres
12:13:11 PM Chair DiCeglie
12:13:44 PM Senator Hooper
12:16:39 PM Chair DiCeglie
12:16:44 PM Roll Call
12:16:52 PM CS/SB 28 reported favorably
12:17:00 PM Chair DiCeglie
12:17:08 PM Senator Trumbull moves to adjourn
12:17:22 PM Meeting adjourned