

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/CS/SB 1136

SPONSOR: Finance and Taxation Committee, Transportation Committee and Senator Pruitt

SUBJECT: License Plates

DATE: February 21, 2002      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Vickers</u>	<u>Meyer</u>	<u>TR</u>	<u>Favorable/CS</u>
2.	<u>Keating</u>	<u>Johansen</u>	<u>FT</u>	<u>Favorable/CS</u>
3.	_____	_____	<u>AGG</u>	_____
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

## I. Summary:

This bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to develop and issue a Protect Florida Whales specialty license plate. The bill provides for a \$25 annual use fee to be collected for this license plate. Funds generated through sales of this plate shall be distributed to the Harbor Branch Oceanographic Institution, Inc., and shall be used for whale research, rehabilitation, and education programs.

The bill changes from January 1, 1997 to October 1, 2002, the date by which any collegiate license plate created or established after, must comply with the requirements of s. 320.08053.

The bill substantially amends the following sections of the Florida Statutes: 320.08056 and 320.08058.

## II. Present Situation:

Section 320.08053, F.S., establishes requirements that organizations or agencies must meet in order to create a new specialty license plate. Current law requires that specified information and an application fee be submitted to DHSMV prior to requesting legislative approval for a specialty plate. Information required to be submitted includes:

- The results of a scientific sample survey indicating that at least 15,000 motor vehicle owners intend to purchase the proposed specialty license plate at the increased cost.
- An application fee, not to exceed \$60,000, to defray DHSMV's cost for reviewing the application and developing the license plate, if authorized.

- A marketing plan and financial analysis of anticipated revenues and expenditures.

Once a specialty license plate has been approved by the Legislature, s. 320.08056, F.S., establishes uniform requirements for all specialty license plates, including taxes, fees, and design. Section 320.08058, F.S., specifies the individual requirements and distribution of annual use fees for approved specialty plates.

Subsection (3) of s. 320.08058, F.S., directs the DHSMV to develop a collegiate license plate for state and independent universities domiciled in Florida. Any collegiate license plate created or established after January 1, 1997, must comply with the requirements of s. 320.08053 and be specifically authorized by an act of the Legislature.

On October 31, 2001, DHSMV reported that the Harbor Branch Oceanographic Institution, Inc., had successfully completed its application for the Protect Florida Whales specialty license plate, and has complied with all statutorily prescribed requirements.

### III. Effect of Proposed Changes:

**Section 1** amends s. 320.08056, F.S., creating the “Protect Florida Whales” specialty license plate for an annual use fee of \$25.

**Section 2** amends subsection (3) of s. 320.08058, F.S., changing from January 1, 1997 to October 1, 2002, the date by which any collegiate license plate created or established after, must comply with the requirements of s. 320.0805 and be specifically authorized by an act of the Legislature.

The bill also adds subsection (34) to s. 320.08058, F.S., directing the DHSMV to develop and issue a “Protect Florida Whales” specialty license plate. The word “Florida” must appear at the top of the plate, and the words “Protect Florida Whales” must appear at the bottom of the plate. Proceeds from the \$25 annual use fee shall be distributed to the Harbor Branch Oceanographic Institution, Inc., and shall be used for whale research, rehabilitation, and education programs. The bill stipulates that up to 15 percent of the funds received by the Institution may be used for administrative costs directly associated with the Institution’s Marine Mammal Research and Conservation Program and this specialty plate. Up to 10 percent of the funds may be used for continuing promotion and marketing of the license plate. Ten percent of the funds must be distributed to the Wyland Foundation, Inc., and used specifically to conduct educational programs in this state that promote the conservation of Florida marine mammals. The remainder of the funds, a minimum of 65 percent, must be used for the following purposes: collect scientific data on whale populations in Florida; provide assistance for stranded whales; construct and maintain an Institution-based teaching marine mammal hospital; train veterinary students in the treatment of stranded whales; and other specified scientific research.

**Section 3** provides for a July 1, 2002 effective date.

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

None.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**V. Economic Impact and Fiscal Note:****A. Tax/Fee Issues:**

Persons electing to purchase the Protect Florida Whales specialty plate would pay a \$25 annual use fee, in addition to all other taxes, fees, or charges assessed under ch. 320. F.S.

The amendment to s. 320.08058(3), F.S., will allow New College in Sarasota to develop a collegiate license plate prior to October 1, 2002, without complying with the requirements of s. 320.08053 and being authorized by an act of the Legislature. Persons electing to purchase a New College license plate would pay the \$25 annual use fee, the proceeds of which will be distributed to New College.

**B. Private Sector Impact:**

Fees generated through sale of this plate are to be distributed to the Harbor Branch Oceanographic Institution, Inc., to be used for whale research, rehabilitation, and education programs. Up to 15 percent of the funds received by the Institution may be used for administrative costs directly associated with the Institution's Marine Mammal Research and Conservation Program and this specialty plate. Up to 10 percent of the funds may be used for continuing promotion and marketing of the license plate. Ten percent of the funds must be distributed to the Wyland Foundation, Inc., and used specifically to conduct educational programs in this state that promote the conservation of Florida marine mammals. The remainder of the funds, a minimum of 65 percent, must be used for the following purposes: collect scientific data on whale populations in Florida; provide assistance for stranded whales; construct and maintain an Institution-based teaching marine mammal hospital; train veterinary students in the treatment of stranded whales; and other specified scientific research.

**C. Government Sector Impact:**

Section 320.08053(1)(c), F.S., states that an application fee may not exceed \$60,000. This fee will be paid to DHSMV to defray the costs of reviewing the application and developing the specialty license plate.

DHSMV estimates that it will incur \$59,460 in costs associated with the development and issuance of this specialty license plate. More specifically, these costs include \$15,000 in personnel costs, \$7,560 in computer programming costs, and \$36,900 in license plate costs. Specialty license plates cost DHSMV \$2.46 each under the current contract. A minimum order of 15,000 plates is required.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Amendments:**

None.

---

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

---