

Bill No. CS for CS for SB 1168

Amendment No. \_\_\_\_ Barcode 972906

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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2	04/29/2003	.	
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	03:39 PM	.	
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11	Senator Sebesta moved the following amendment:		
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13	<b>Senate Amendment (with title amendment)</b>		
14	On page 21, between lines 7 and 8,		
15			
16	insert:		
17	Section 15. Section 320.0706, Florida Statutes, is		
18	amended to read:		
19	320.0706 Display of license plates on trucks.--The		
20	owner of any commercial truck of gross vehicle weight of		
21	26,001 pounds or more shall display the registration license		
22	plate on both the front and rear of the truck in conformance		
23	with all the requirements of s. 316.605 that do not conflict		
24	with this section. However, the owner of a truck tractor shall		
25	be required to display the registration license plate only on		
26	the front of such vehicle. <u>Wreckers shall be required to</u>		
27	<u>display the registration license plate only on the front of</u>		
28	<u>such vehicle.</u>		
29	Section 16. Section 320.08053, Florida Statutes, is		
30	amended to read:		
31	320.08053 Requirements for requests to establish		

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1 | specialty license plates.--

2 |         (1) An organization that seeks authorization to  
3 | establish a new specialty license plate for which an annual  
4 | use fee is to be charged must submit to the department:

5 |             (a) A request for the particular specialty license  
6 | plate being sought, describing the proposed specialty license  
7 | plate in specific ~~general~~ terms, including a sample plate as  
8 | it will appear in final form and conforming to the  
9 | specifications set by the department and this chapter.

10 |             (b) A financial analysis outlining the anticipated  
11 | revenues and the planned expenditures of the revenues to be  
12 | derived from the sale of the requested specialty license plate  
13 | ~~The results of a scientific sample survey of Florida motor~~  
14 | ~~vehicle owners that indicates at least 15,000 motor vehicle~~  
15 | ~~owners intend to purchase the proposed specialty license plate~~  
16 | ~~at the increased cost. The sample survey of registered motor~~  
17 | ~~vehicle owners must be performed independently of the~~  
18 | ~~requesting organization by an organization that conducts~~  
19 | ~~similar sample surveys as a normal course of business. Prior~~  
20 | ~~to conducting a sample survey for the purposes of this~~  
21 | ~~section, a requesting organization must obtain a determination~~  
22 | ~~from the department that the organization selected to conduct~~  
23 | ~~the survey performs similar surveys as a normal course of~~  
24 | ~~business and is independent of the requesting organization.~~

25 |             (c) ~~An application fee, not to exceed \$60,000, to~~  
26 | ~~defray the department's cost for reviewing the application and~~  
27 | ~~developing the specialty license plate, if authorized. State~~  
28 | ~~funds may not be used to pay the application fee, except for~~  
29 | ~~collegiate specialty license plates authorized in s.~~  
30 | ~~320.08058(3) and (13). The specialty license plate application~~  
31 | ~~provisions of this act shall not apply to any organization~~

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1 ~~which has requested and received the required forms for~~  
2 ~~obtaining a specialty license plate authorization from the~~  
3 ~~Department of Highway Safety and Motor Vehicles, has opened a~~  
4 ~~bank account for the funds collected for the specialty license~~  
5 ~~tag and has made deposits to such an account, and has obtained~~  
6 ~~signatures toward completing the requirements for the~~  
7 ~~specialty license tag. All applications requested on or after~~  
8 ~~the effective date of this act must meet the requirements of~~  
9 ~~this act.~~

10 ~~(d) A marketing strategy outlining short-term and~~  
11 ~~long-term marketing plans for the requested specialty license~~  
12 ~~plate and a financial analysis outlining the anticipated~~  
13 ~~revenues and the planned expenditures of the revenues to be~~  
14 ~~derived from the sale of the requested specialty license~~  
15 ~~plates.~~

16 ~~The information required under this subsection must be~~  
17 ~~submitted to the department at least 90 days before the~~  
18 ~~convening of the next regular session of the Legislature.~~

19 ~~(2) From the date the request for the specialty~~  
20 ~~license plate is acknowledged in writing by the department,~~  
21 ~~the organization seeking to establish the new plate shall have~~  
22 ~~24 months to submit to the department no less than 8,000~~  
23 ~~prepaid applications for the particular plate being proposed~~  
24 ~~along with any necessary fees. Applications submitted to the~~  
25 ~~department must:~~

26 ~~(a) Include the applicant's name, address, and the~~  
27 ~~current Florida license plate number that is to be replaced by~~  
28 ~~the proposed specialty license plate.~~

29 ~~(b) Be forwarded to the department, collectively, in~~  
30 ~~electronic format as determined by the department.~~

31 ~~(c) Be accompanied by all prepayments for the proposed~~

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1 specialty license plate collected by the organization.

2 (3) Upon compliance with subsection (2), the  
3 organization requesting the specialty license plate may seek  
4 legislative approval of the plate. From the date of enactment  
5 of the specialty license plate by the Legislature, the  
6 department shall begin issuing the approved plates within 1  
7 year to all prepaid applicants and provide additional plates  
8 for purchase. Upon enactment of the specialty license plate,  
9 the department is authorized to retain prepayment amounts  
10 sufficient to cover the costs incurred developing the plate;  
11 however, the department may not retain an amount greater than  
12 \$60,000. If the proposed specialty license plate is not  
13 enacted by the Legislature, the department shall return to the  
14 organization all applications and prepayments submitted by the  
15 organization, and the organization shall immediately refund to  
16 all applicants any payments that have been collected.

17 (4) If, after 24 months, the organization seeking to  
18 establish the new specialty license plate has not obtained at  
19 least 8,000 prepaid applications, the organization shall  
20 immediately refund to all applicants any fees or deposits that  
21 have been collected.

22 (5) After the department has acknowledged in writing  
23 the organization's request to establish a new specialty  
24 license plate, the organization requesting the plate shall  
25 file quarterly financial reports to the department detailing  
26 all collections made in conjunction with the proposed plate.  
27 The department shall determine the form and content of the  
28 reports. All payments collected must be deposited in a  
29 separate account maintained by the organization solely for  
30 receipt of prepaid application fees and shall not be  
31 commingled with other funds of the organization. The

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1 ~~department is authorized to conduct any audits necessary to~~  
2 ~~verify the accuracy of the quarterly reports If the specialty~~  
3 ~~license plate requested by the organization is approved by~~  
4 ~~law, the organization must submit the proposed art design for~~  
5 ~~the specialty license plate to the department as soon as~~  
6 ~~practicable, but no later than 60 days after the act approving~~  
7 ~~the specialty license plate becomes a law. If the specialty~~  
8 ~~license plate requested by the organization is not approved by~~  
9 ~~the Legislature, the application fee shall be refunded to the~~  
10 ~~requesting organization.~~

11 Section 17. Subsection (8) of section 320.08056,  
12 Florida Statutes, is amended to read:

13 320.08056 Specialty license plates.--

14 (8)(a) The department must discontinue the issuance of  
15 an approved specialty license plate if, after the second year  
16 of sales, the number of currently outstanding and valid  
17 specialty license plates for any particular organization  
18 provided for in this chapter is less than 8,000. The  
19 department shall notify the organization that if the number is  
20 less than 8,000 1 year after the date of the notification, the  
21 department will no longer issue or replace those specialty  
22 license plates.÷

23 ~~1. Less than 8,000 plates, including annual renewals,~~  
24 ~~are issued for that specialty license plate by the end of the~~  
25 ~~5th year of sales.~~

26 ~~2. Less than 8,000 plates, including annual renewals,~~  
27 ~~are issued for that specialty license plate during any~~  
28 ~~subsequent 5-year period.~~

29 (b) The department is authorized to discontinue the  
30 issuance of a specialty license plate and distribution of  
31 associated annual use fee proceeds if the organization no

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1 longer exists, if the organization has stopped providing  
 2 services that are authorized to be funded from the annual use  
 3 fee proceeds, or pursuant to an organizational recipient's  
 4 request. Organizations are required to notify the department  
 5 immediately to stop all warrants for plate sales if any of the  
 6 conditions in this section exist, and must meet the  
 7 requirements of s. 320.08062 for any period of operation  
 8 during a fiscal year.

9 (c) The requirements of paragraph (a) shall not apply  
 10 to collegiate specialty license plates authorized in s.  
 11 320.08058(3), (13), (21), and (26).

12  
 13 (Redesignate subsequent sections.)

14  
 15

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

17 And the title is amended as follows:

18 On page 2, line 12, after the semicolon,

19

20 insert:

21 amending s. 320.0706, F.S.; providing for  
 22 display of license plate on wreckers; amending  
 23 s. 320.08053, F.S.; revising requirements for  
 24 establishing a specialty license plate;  
 25 providing procedures and timeframes; requiring  
 26 submission of a sample plate; requiring a  
 27 financial analysis of anticipated revenues and  
 28 expenditures; requiring submission of prepaid  
 29 applications; providing for content of prepaid  
 30 applications; providing for legislative  
 31 approval; requiring the Department of Highway

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1 Safety and Motor Vehicles to issue plates  
2 within a specified time period; authorizing the  
3 department to retain prepayments to cover  
4 certain costs; requiring refund of prepaid  
5 applications under certain circumstances;  
6 providing for a minimum number of prepaid  
7 applications; providing for quarterly reports  
8 to the department; providing procedures and  
9 requirements for collection of payments for  
10 prepaid applications; authorizing the  
11 department to audit organizations collecting  
12 prepaid applications; amending s. 320.08056,  
13 F.S.; revising conditions and procedures for  
14 discontinuance of specialty license plates;  
15 deleting an exemption from the provisions for  
16 discontinuance of specialty license plates;

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