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1 A bill to be entitled

2 An act relating to specialty license plates; amending s.  
3 320.08053, F.S.; revising requirements for establishing a  
4 specialty license plate; providing procedures and  
5 timeframes; requiring submission of a sample plate;  
6 requiring a financial analysis of anticipated revenues and  
7 expenditures; requiring submission of prepaid  
8 applications; providing for content of prepaid  
9 applications; providing for legislative approval;  
10 requiring the Department of Highway Safety and Motor  
11 Vehicles to issue plates within a specified time period;  
12 authorizing the department to retain prepayments to cover  
13 certain costs; requiring refund of prepaid applications  
14 under certain circumstances; providing for a minimum  
15 number of prepaid applications; providing for quarterly  
16 reports to the department; providing procedures and  
17 requirements for collection of payments for prepaid  
18 applications; authorizing the department to audit  
19 organizations collecting prepaid applications; amending s.  
20 320.08056, F.S.; providing annual use fees for specified  
21 specialty license plates; revising conditions and  
22 procedures for discontinuance of specialty license plates;  
23 deleting an exemption from the provisions for  
24 discontinuance of specialty license plates; amending s.  
25 320.08058, F.S.; creating the UNITY license plate, the  
26 Family Values license plate, and the Parents Make A  
27 Difference license plate; providing for the distribution  
28 of annual use fees received from the sale of such plates;  
29 providing an effective date.

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

32  
 33 Section 1. Section 320.08053, Florida Statutes, is amended  
 34 to read:

35 320.08053 Requirements for requests to establish specialty  
 36 license plates.--

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

40 (a) A request for the particular specialty license plate  
 41 being sought, describing the proposed specialty license plate in  
 42 specific ~~general~~ terms, including a sample plate as it will  
 43 appear in final form and conforming to the specifications set by  
 44 the department and this chapter.

45 (b) A financial analysis outlining the anticipated  
 46 revenues and the planned expenditures of the revenues to be  
 47 derived from the sale of the requested specialty license plate  
 48 ~~The results of a scientific sample survey of Florida motor~~  
 49 ~~vehicle owners that indicates at least 15,000 motor vehicle~~  
 50 ~~owners intend to purchase the proposed specialty license plate~~  
 51 ~~at the increased cost. The sample survey of registered motor~~  
 52 ~~vehicle owners must be performed independently of the requesting~~  
 53 ~~organization by an organization that conducts similar sample~~  
 54 ~~surveys as a normal course of business. Prior to conducting a~~  
 55 ~~sample survey for the purposes of this section, a requesting~~  
 56 ~~organization must obtain a determination from the department~~  
 57 ~~that the organization selected to conduct the survey performs~~  
 58 ~~similar surveys as a normal course of business and is~~  
 59 ~~independent of the requesting organization.~~



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60 ~~(c) An application fee, not to exceed \$60,000, to defray~~  
61 ~~the department's cost for reviewing the application and~~  
62 ~~developing the specialty license plate, if authorized. State~~  
63 ~~funds may not be used to pay the application fee, except for~~  
64 ~~collegiate specialty license plates authorized in s.~~  
65 ~~320.08058(3) and (13). The specialty license plate application~~  
66 ~~provisions of this act shall not apply to any organization which~~  
67 ~~has requested and received the required forms for obtaining a~~  
68 ~~specialty license plate authorization from the Department of~~  
69 ~~Highway Safety and Motor Vehicles, has opened a bank account for~~  
70 ~~the funds collected for the specialty license tag and has made~~  
71 ~~deposits to such an account, and has obtained signatures toward~~  
72 ~~completing the requirements for the specialty license tag. All~~  
73 ~~applications requested on or after the effective date of this~~  
74 ~~act must meet the requirements of this act.~~

75 ~~(d) A marketing strategy outlining short-term and long-~~  
76 ~~term marketing plans for the requested specialty license plate~~  
77 ~~and a financial analysis outlining the anticipated revenues and~~  
78 ~~the planned expenditures of the revenues to be derived from the~~  
79 ~~sale of the requested specialty license plates.~~

80  
81 ~~The information required under this subsection must be submitted~~  
82 ~~to the department at least 90 days before the convening of the~~  
83 ~~next regular session of the Legislature.~~

84 (2) From the date the request for the specialty license  
85 plate is acknowledged in writing by the department, the  
86 organization seeking to establish the new plate shall have 24  
87 months to submit to the department no less than 8,000 prepaid  
88 applications for the particular plate being proposed, along with



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89 any necessary fees. Applications submitted to the department  
90 must:

91 (a) Include the applicant's name and address and the  
92 current Florida license plate number that is to be replaced by  
93 the proposed specialty license plate.

94 (b) Be forwarded to the department, collectively, in  
95 electronic format as determined by the department.

96 (c) Be accompanied by all prepayments for the proposed  
97 specialty license plate collected by the organization.

98 (3) Upon compliance with subsection (2), the organization  
99 requesting the specialty license plate may seek legislative  
100 approval of the plate. From the date of enactment of the  
101 specialty license plate by the Legislature, the department shall  
102 begin issuing the approved plates within 1 year to all prepaid  
103 applicants and provide additional plates for purchase. Upon  
104 enactment of the specialty license plate, the department is  
105 authorized to retain prepayment amounts sufficient to cover its  
106 costs incurred developing the plate; however, the department may  
107 not retain an amount greater than \$60,000. If the proposed  
108 specialty license plate is not enacted by the Legislature, the  
109 department shall return to the organization all applications and  
110 prepayments submitted by the organization, and the organization  
111 shall immediately refund to all applicants any payments that  
112 have been collected.

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



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118       (5) After the department has acknowledged in writing the  
 119 organization's request to establish a new specialty license  
 120 plate, the organization requesting the plate shall file  
 121 quarterly financial reports to the department detailing all  
 122 collections made in conjunction with the proposed plate. The  
 123 department shall determine the form and content of the reports.  
 124 All payments collected must be deposited in a separate account  
 125 maintained by the organization solely for receipt of prepaid  
 126 application fees and shall not be commingled with other funds of  
 127 the organization. The department is authorized to conduct any  
 128 audits necessary to verify the accuracy of the quarterly reports  
 129 ~~If the specialty license plate requested by the organization is~~  
 130 ~~approved by law, the organization must submit the proposed art~~  
 131 ~~design for the specialty license plate to the department as soon~~  
 132 ~~as practicable, but no later than 60 days after the act~~  
 133 ~~approving the specialty license plate becomes a law. If the~~  
 134 ~~specialty license plate requested by the organization is not~~  
 135 ~~approved by the Legislature, the application fee shall be~~  
 136 ~~refunded to the requesting organization.~~

137       Section 2. Paragraphs (mm), (nn), and (oo) are added to  
 138 subsection (4) of section 320.08056, Florida Statutes, and  
 139 subsection (8) of said section is amended, to read:

140       320.08056 Specialty license plates.--

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

143       (mm) UNITY license plate, \$25.

144       (nn) Family Values license plate, \$25.

145       (oo) Parents Make A Difference license plate, \$25.

146       (8)(a) The department must discontinue the issuance of an  
 147 approved specialty license plate if, after the second year of



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148 sales, the number of currently outstanding and valid specialty  
 149 license plates for any particular organization provided for in  
 150 this chapter is less than 8,000. The department shall notify the  
 151 organization that if the number is less than 8,000 1 year after  
 152 the date of the notification, the department will no longer  
 153 issue or replace those specialty license plates.÷

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

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

160 (b) The department is authorized to discontinue the  
 161 issuance of a specialty license plate and distribution of  
 162 associated annual use fee proceeds if the organization no longer  
 163 exists, if the organization has stopped providing services that  
 164 are authorized to be funded from the annual use fee proceeds, or  
 165 pursuant to an organizational recipient's request. Organizations  
 166 are required to notify the department immediately to stop all  
 167 warrants for plate sales if any of the conditions in this  
 168 section exist, and must meet the requirements of s. 320.08062  
 169 for any period of operation during a fiscal year.

170 ~~(c) The requirements of paragraph (a) shall not apply to~~  
 171 ~~collegiate specialty license plates authorized in s.~~  
 172 ~~320.08058(3), (13), (21), and (26).~~

173 Section 3. Subsections (39), (40), and (41) are added to  
 174 section 320.08058, Florida Statutes, to read:

175 320.08058 Specialty license plates.--

176 (39) UNITY LICENSE PLATES.--

177 (a) The department shall develop a UNITY license plate as



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178 provided in this section. The word "Florida" must appear at the  
179 top of the plate, and the word "UNITY" must appear at the bottom  
180 of the plate.

181 (b) The annual use fees shall be distributed to the  
182 British-American Foundation, Inc. Up to 25 percent of such funds  
183 shall be used for marketing and promotion of the "UNITY" concept  
184 and license plate. The remaining funds shall be used in the  
185 following manner:

186 1. Twenty-five percent shall be used to establish and  
187 administer advice centers that will provide informative and  
188 educational informational materials and referral services to  
189 assist recently arrived residents, prospective residents, and  
190 individuals in adapting to living, working, and doing business  
191 in the State of Florida, particularly to prevent fraudulent  
192 conduct.

193 2. Twenty-five percent shall be distributed as grants as  
194 determined by an internal review committee to organizations  
195 whose efforts are specifically directed towards protecting  
196 Florida residents from fraudulent business practices, corporate  
197 scams, identity theft, and other fraud.

198 3. Ten percent shall be distributed to identified agencies  
199 to assist them with efforts that are specifically directed  
200 toward providing Florida residents with a toll-free hotline to  
201 fight fraud and corporate scams.

202 4. Ten percent shall be used to pay the cost of  
203 professional advice and guidance to protect Florida residents  
204 from fraudulent business practices, to promote ethical business  
205 practices, and to provide informational seminars disseminating  
206 information and materials to prevent fraudulent conduct.

207 5. Five percent shall be expended by the British-American



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208 Foundation, Inc., for administrative costs directly associated  
 209 with the foundation's operations as they relate to its goals of  
 210 fighting fraud.

211 (40) FAMILY VALUES LICENSE PLATES.--

212 (a) The department shall develop a Family Values license  
 213 plate as provided in this section. The words "Family Values"  
 214 must appear at the top of the plate, and the word "Florida" must  
 215 appear at the bottom of the plate.

216 (b) The annual use fees shall be distributed to Sheridan  
 217 House, Inc., to fund residential care programs, family  
 218 counseling, social services for single parents and their  
 219 children, resources materials, and facility construction.  
 220 Sheridan House, Inc., shall distribute the Family Values license  
 221 plate annual use fees in the following manner:

222 1. Sheridan House, Inc., shall retain all revenues from  
 223 the sale of such plates until all startup costs for developing  
 224 and establishing the plates have been recovered.

225 2. Up to 5 percent of the funds received by Sheridan  
 226 House, Inc., shall be expended for administrative costs directly  
 227 associated with the operations of Sheridan House, Inc., and up  
 228 to 20 percent of the funds received shall be expended for  
 229 promotion and marketing of the license plate.

230 3. All remaining funds shall be expended by Sheridan  
 231 House, Inc., for programs.

232 (41) PARENTS MAKE A DIFFERENCE LICENSE PLATES.--

233 (a) The department shall develop a Parents Make A  
 234 Difference license plate as provided in this section. The words  
 235 "Parents Make A Difference" must appear at the top of the plate,  
 236 and the word "Florida" must appear at the bottom of the plate.

237 (b) The annual use fees shall be distributed to The





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238 Gathering/USA, Inc., to fund personal counseling for parents,  
239 marriage seminars, Dads and Moms That Make A Difference  
240 seminars, father-and-son retreats, mother-and-daughter retreats,  
241 and personal parenting behavioral assessments. The  
242 Gathering/USA, Inc., shall distribute the Parents Make A  
243 Difference license plate annual use fees in the following  
244 manner:

245 1. The Gathering/USA, Inc., shall retain all revenues from  
246 the sale of such plates until all startup costs for developing  
247 and establishing the plates have been recovered.

248 2. Up to 5 percent of the funds received by The  
249 Gathering/USA, Inc., shall be expended for administrative costs  
250 directly associated with the operations of The Gathering/USA,  
251 Inc., and up to 20 percent of the funds received shall be  
252 expended for promotion and marketing of the license plate.

253 3. All remaining funds shall be expended by The  
254 Gathering/USA, Inc., for programs.

255 Section 4. This act shall take effect October 1, 2003.