

1 A bill to be entitled
2 An act relating to specialty license plates;
3 amending s. 320.08053, F.S.; revising
4 requirements for establishing a specialty
5 license plate; requiring submission of a sample
6 plate; increasing the number of motor vehicle
7 owners who must indicate, according to a
8 scientific sample survey, that they intend to
9 purchase a proposed specialty plate; defining
10 the term "scientific sample survey"; requiring
11 the Department of Highway Safety and Motor
12 Vehicles to adopt rules relating to design
13 specification for speciality license plates;
14 amending s. 320.08056, F.S.; revising design
15 requirements; revising conditions and
16 procedures for the discontinuation of specialty
17 license plates; requiring the department, in
18 cooperation with local tax collectors and the
19 Prison Rehabilitative Industries and
20 Diversified Enterprises, Inc., to study the
21 possibility of using direct-to-customer
22 distribution; requiring an analysis of the
23 impact of certain technologies; requiring the
24 department to report its findings to the
25 Legislature; providing an effective date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Section 320.08053, Florida Statutes, is
30 amended to read:

31

1 320.08053 Requirements for requests to establish
2 specialty license plates.--

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

6 (a) A request for the particular specialty license
7 plate being sought, describing the proposed specialty license
8 plate in specific ~~general~~ terms, including a sample plate that
9 conforms to the specifications set by the department and this
10 chapter, and that is in substantially final form.

11 (b) The results of a scientific sample survey of
12 Florida motor vehicle owners that indicates at least 30,000
13 ~~15,000~~ motor vehicle owners intend to purchase the proposed
14 specialty license plate at the increased cost. As used in this
15 paragraph, the term "scientific sample survey" means
16 information that is gathered from a representative subset of
17 the population as a whole. The sample survey of registered
18 motor vehicle owners must be performed independently of the
19 requesting organization by an organization that conducts
20 similar sample surveys as a normal course of business. Prior
21 to conducting a sample survey for the purposes of this
22 section, a requesting organization must obtain a determination
23 from the department that the organization selected to conduct
24 the survey performs similar surveys as a normal course of
25 business and is independent of the requesting organization.
26 The methodology, results, and any evaluation by the department
27 of the scientific sample survey shall be validated by the
28 Auditor General as a condition precedent to submission of the
29 specialty license plate for approval by the Legislature.

30 (c) An application fee, not to exceed \$60,000, to
31 defray the department's cost for reviewing the application and

1 developing the specialty license plate, if authorized. State
2 funds may not be used to pay the application fee, except for
3 collegiate specialty license plates authorized in s.
4 320.08058(3) and (13). The specialty license plate application
5 provisions of this act shall not apply to any organization
6 which has requested and received the required forms for
7 obtaining a specialty license plate authorization from the
8 Department of Highway Safety and Motor Vehicles, has opened a
9 bank account for the funds collected for the specialty license
10 tag and has made deposits to such an account, and has obtained
11 signatures toward completing the requirements for the
12 specialty license tag. All applications requested on or after
13 the effective date of this act must meet the requirements of
14 this act.

15 (d) A marketing strategy outlining short-term and
16 long-term marketing plans for the requested specialty license
17 plate and a financial analysis outlining the anticipated
18 revenues and the planned expenditures of the revenues to be
19 derived from the sale of the requested specialty license
20 plates.

21
22 The information required under this subsection must be
23 submitted to the department at least 90 days before the
24 convening of the next regular session of the Legislature.

25 (2) If the specialty license plate requested by the
26 organization is approved by law, the organization must submit
27 the proposed art design for the specialty license plate to the
28 department, in a medium prescribed by the department, as soon
29 as practicable, but no later than 60 days after the act
30 approving the specialty license plate becomes a law. If the
31 specialty license plate requested by the organization is not

1 approved by the Legislature, the application fee shall be
2 refunded to the requesting organization.

3 (3) The department shall adopt rules providing
4 viewpoint-neutral specifications for the design of speciality
5 license plates that promote or enhance the readability of all
6 speciality license plates and that discourage counterfeiting.
7 The rules shall provide uniform specifications requiring
8 inclusion of the word "Florida" in the same location on each
9 specialty license plate, in such a size and location that is
10 clearly identifiable on the specialty license plate when
11 mounted on a vehicle, and shall provide specifications for the
12 size and location of any words or logos appearing on a
13 specialty license plate.

14 Section 2. Subsections (6), (7) and (8) of section
15 320.08056, Florida Statutes, are amended to read:

16 320.08056 Specialty license plates.--

17 (6) Specialty license plates must bear the design
18 required by law for the appropriate specialty license plate,
19 and the designs and colors must conform to the department's
20 design specifications ~~be approved by the department.~~ In
21 addition to a design, the specialty license plates may bear
22 the imprint of numerals from 1 to 999, inclusive, capital
23 letters "A" through "Z," or a combination thereof. The
24 department shall determine the maximum number of characters,
25 including both numerals and letters. All specialty license
26 plates must be otherwise of the same material and size as
27 standard license plates issued for any registration period.
28 ~~In small letters, the word "Florida" must appear at either the~~
29 ~~bottom or top of the plate, depending upon the design. In~~
30 ~~addition,~~ A specialty license plate may bear an appropriate
31

1 slogan, emblem, or logo in a size and placement that conforms
2 to the department's design specifications.

3 (7) The department shall annually retain from the
4 first proceeds derived from the annual use fees collected an
5 amount sufficient to defray each specialty plate's pro rata
6 share of the department's costs directly related to the
7 specialty license plate program ~~issuing the specialty plate.~~
8 Such costs shall include inventory costs, distribution costs,
9 direct costs to the department, costs associated with
10 reviewing each organization's compliance with audit and
11 attestation requirements of s. 320.08062, and any applicable
12 increased costs of manufacturing the specialty license plate.
13 Any cost increase to the department related to actual cost of
14 the plate, including a reasonable vendor profit, shall be
15 verified by the Department of Management Services. The
16 balance of the proceeds from the annual use fees collected for
17 that specialty license plate shall be distributed as provided
18 by law.

19 (8)(a) The department must discontinue the issuance of
20 an approved specialty license plate if the number of valid
21 specialty plate registrations falls below 1,000 plates for at
22 least 12 consecutive months. A warning letter shall be mailed
23 to the sponsoring organization following the first month in
24 which the total number of valid specialty plate registrations
25 is below 1,000 plates.+

26 ~~1. Less than 8,000 plates, including annual renewals,~~
27 ~~are issued for that specialty license plate by the end of the~~
28 ~~5th year of sales.~~

29 ~~2. Less than 8,000 plates, including annual renewals,~~
30 ~~are issued for that specialty license plate during any~~
31 ~~subsequent 5 year period.~~

1 (b) The department is authorized to discontinue the
2 issuance of a specialty license plate and distribution of
3 associated annual use fee proceeds if the organization no
4 longer exists, if the organization has stopped providing
5 services that are authorized to be funded from the annual use
6 fee proceeds, or pursuant to an organizational recipient's
7 request. Organizations are required to notify the department
8 immediately to stop all warrants for plate sales if any of the
9 conditions in this section exist, and must meet the
10 requirements of s. 320.08062 for any period of operation
11 during a fiscal year.

12 ~~(c) The requirements of paragraph (a) shall not apply~~
13 ~~to collegiate specialty license plates authorized in s.~~
14 ~~320.08058(3), (13), (21), and (26).~~

15 Section 3. The Department of Highway Safety and Motor
16 Vehicles shall, in cooperation with representatives of the
17 local tax collectors and with Prison Rehabilitative Industries
18 and Diversified Enterprises, Inc., at Union Correctional
19 Facility, study the operational and economic feasibility of
20 direct-to-customer delivery of specialty license plates. The
21 study shall include, but not be limited to, an analysis of the
22 potential operational and economic impact of various
23 manufacturing, inventory control, and product distribution
24 technologies on the speciality license plate program. The
25 department shall report its findings to the President of the
26 Senate and the Speaker of the House of Representatives no
27 later than December 31, 2004.

28 Section 4. This act shall take effect July 1, 2004.
29
30
31