

Bill No. CS for CS for SB 2020, 1st Eng.

Amendment No. ____ Barcode 503642

CHAMBER ACTION

Senate

House

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Senator Constantine moved the following amendment:

Senate Amendment (with title amendment)

On page 13, between lines 20 and 21,

insert:

Section 3. Section 320.08053, Florida Statutes, is amended to read:

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

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

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

(b) The results of a scientific sample survey of Florida motor vehicle owners that indicates at least 30,000 ~~15,000~~ motor vehicle owners intend to purchase the proposed

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1 | specialty license plate at the increased cost. As used in this
2 | paragraph, the term "scientific sample survey" means
3 | information that is gathered from a representative subset of
4 | the population as a whole. The sample survey of registered
5 | motor vehicle owners must be performed independently of the
6 | requesting organization by an organization that conducts
7 | similar sample surveys as a normal course of business. Prior
8 | to conducting a sample survey for the purposes of this
9 | section, a requesting organization must obtain a determination
10 | from the department that the organization selected to conduct
11 | the survey performs similar surveys as a normal course of
12 | business and is independent of the requesting organization.
13 | The methodology, results, and any evaluation by the department
14 | of the scientific sample survey shall be validated by the
15 | Auditor General as a condition precedent to submission of the
16 | specialty license plate for approval by the Legislature.

17 | (c) An application fee, not to exceed \$60,000, to
18 | defray the department's cost for reviewing the application and
19 | developing the specialty license plate, if authorized. State
20 | funds may not be used to pay the application fee, except for
21 | collegiate specialty license plates authorized in s.
22 | 320.08058(3) and (13). The specialty license plate application
23 | provisions of this act shall not apply to any organization
24 | which has requested and received the required forms for
25 | obtaining a specialty license plate authorization from the
26 | Department of Highway Safety and Motor Vehicles, has opened a
27 | bank account for the funds collected for the specialty license
28 | tag and has made deposits to such an account, and has obtained
29 | signatures toward completing the requirements for the
30 | specialty license tag. All applications requested on or after
31 | the effective date of this act must meet the requirements of

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1 | this act.

2 | (d) A marketing strategy outlining short-term and
3 | long-term marketing plans for the requested specialty license
4 | plate and a financial analysis outlining the anticipated
5 | revenues and the planned expenditures of the revenues to be
6 | derived from the sale of the requested specialty license
7 | plates.

8 |

9 | The information required under this subsection must be
10 | submitted to the department at least 90 days before the
11 | convening of the next regular session of the Legislature.

12 | (2) If the specialty license plate requested by the
13 | organization is approved by law, the organization must submit
14 | the proposed art design for the specialty license plate to the
15 | department, in a medium prescribed by the department, as soon
16 | as practicable, but no later than 60 days after the act
17 | approving the specialty license plate becomes a law. If the
18 | specialty license plate requested by the organization is not
19 | approved by the Legislature, the application fee shall be
20 | refunded to the requesting organization.

21 | (3) The department shall adopt rules providing
22 | viewpoint-neutral specifications for the design of speciality
23 | license plates that promote or enhance the readability of all
24 | speciality license plates and that discourage counterfeiting.
25 | The rules shall provide uniform specifications requiring
26 | inclusion of the word "Florida" in the same location on each
27 | specialty license plate, in such a size and location that is
28 | clearly identifiable on the specialty license plate when
29 | mounted on a vehicle, and shall provide specifications for the
30 | size and location of any words or logos appearing on a
31 | specialty license plate.

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1 Section 4. Subsections (6), (7), and (8) of section
2 320.08056, Florida Statutes, are amended to read:

3 320.08056 Specialty license plates.--

4 (6) Specialty license plates must bear the design
5 required by law for the appropriate specialty license plate,
6 and the designs and colors must conform to the department's
7 design specifications ~~be approved by the department.~~ In
8 addition to a design, the specialty license plates may bear
9 the imprint of numerals from 1 to 999, inclusive, capital
10 letters "A" through "Z," or a combination thereof. The
11 department shall determine the maximum number of characters,
12 including both numerals and letters. All specialty license
13 plates must be otherwise of the same material and size as
14 standard license plates issued for any registration period.
15 ~~In small letters, the word "Florida" must appear at either the~~
16 ~~bottom or top of the plate, depending upon the design.~~ In
17 ~~addition,~~ A specialty license plate may bear an appropriate
18 slogan, emblem, or logo in a size and placement that conforms
19 to the department's design specifications.

20 (7) The department shall annually retain from the
21 first proceeds derived from the annual use fees collected an
22 amount sufficient to defray each specialty plate's pro rata
23 share of the department's costs directly related to the
24 specialty license plate program ~~issuing the specialty plate.~~
25 Such costs shall include inventory costs, distribution costs,
26 direct costs to the department, costs associated with
27 reviewing each organization's compliance with audit and
28 attestation requirements of s. 320.08062, and any applicable
29 increased costs of manufacturing the specialty license plate.
30 Any cost increase to the department related to actual cost of
31 the plate, including a reasonable vendor profit, shall be

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1 verified by the Department of Management Services. The
2 balance of the proceeds from the annual use fees collected for
3 that specialty license plate shall be distributed as provided
4 by law.

5 (8)(a) The department must discontinue the issuance of
6 an approved specialty license plate if the number of valid
7 specialty plate registrations falls below 1,000 plates for at
8 least 12 consecutive months. A warning letter shall be mailed
9 to the sponsoring organization following the first month in
10 which the total number of valid specialty plate registrations
11 is below 1,000 plates.†

12 ~~1. Less than 8,000 plates, including annual renewals,~~
13 ~~are issued for that specialty license plate by the end of the~~
14 ~~5th year of sales.~~

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

18 (b) The department is authorized to discontinue the
19 issuance of a specialty license plate and distribution of
20 associated annual use fee proceeds if the organization no
21 longer exists, if the organization has stopped providing
22 services that are authorized to be funded from the annual use
23 fee proceeds, or pursuant to an organizational recipient's
24 request. Organizations are required to notify the department
25 immediately to stop all warrants for plate sales if any of the
26 conditions in this section exist, and must meet the
27 requirements of s. 320.08062 for any period of operation
28 during a fiscal year.

29 ~~(c) The requirements of paragraph (a) shall not apply~~
30 ~~to collegiate specialty license plates authorized in s.~~
31 ~~320.08058(3), (13), (21), and (26).~~

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1 Section 5. The Department of Highway Safety and Motor
2 Vehicles shall, in cooperation with representatives of the
3 local tax collectors and with Prison Rehabilitative Industries
4 and Diversified Enterprises, Inc., at Union Correctional
5 Facility, study the operational and economic feasibility of
6 direct-to-customer delivery of specialty license plates. The
7 study shall include, but not be limited to, an analysis of the
8 potential operational and economic impact of various
9 manufacturing, inventory control, and product distribution
10 technologies on the speciality license plate program. The
11 department shall report its findings to the President of the
12 Senate and the Speaker of the House of Representatives no
13 later than December 31, 2004.

14
15 (Redesignate subsequent sections.)

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

19 And the title is amended as follows:

20 On page 1, line 19, after the semicolon,

21

22 insert:

23 amending s. 320.08053, F.S.; revising
24 requirements for establishing a specialty
25 license plate; requiring submission of a sample
26 plate; increasing the number of motor vehicle
27 owners who must indicate, according to a
28 scientific sample survey, that they intend to
29 purchase a proposed specialty plate; defining
30 the term "scientific sample survey"; requiring
31 the Department of Highway Safety and Motor

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1 Vehicles to adopt rules relating to design
2 specification for speciality license plates;
3 amending s. 320.08056, F.S.; revising design
4 requirements; revising conditions and
5 procedures for the discontinuation of specialty
6 license plates; changing the number of plates
7 that must be purchased to prevent a plate from
8 being discontinued; requiring the department,
9 in cooperation with local tax collectors and
10 the Prison Rehabilitative Industries and
11 Diversified Enterprises, Inc., to study the
12 possibility of using direct-to-customer
13 distribution; requiring an analysis of the
14 impact of certain technologies; requiring the
15 department to report its findings to the
16 Legislature;

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