

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 615 Motor Vehicle Registration
SPONSOR(S): Nehr
TIED BILLS: **IDEN./SIM. BILLS:** SB 482

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Committee on Infrastructure	8 Y, 0 N	Fox	Miller
2) Economic Expansion & Infrastructure Council			
3) Policy & Budget Council			
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

HB 615 authorizes and requires the Department of Highway Safety and Motor Vehicles (DHSMV), to include a check-off for a voluntary \$1 contribution to the Children’s Hearing Help Fund on each motor vehicle registration and renewal form. The Children’s Hearing Help Fund is a special trust fund established by the Sertoma Speech and Hearing Foundation of Florida, Inc., (SSHF). The organization requesting the check off, SSHF, has completed the statutory requirements authorizing to pursue Legislative enactment of the voluntary contribution check-off.

Section 320.02, F.S., currently authorizes check-offs for voluntary contributions appearing on the motor vehicle registration and renewal application forms for the following organizations in the following amounts:

- \$2 for the Highway Safety Operating Trust Fund for the purpose of child safety seats
- \$1 for the Nongame Wildlife Trust Fund
- \$5 for the Election Campaign Financing Trust Fund
- \$1 for the Transportation Disadvantaged Trust Fund
- \$1 for Prevent Blindness Florida
- \$1 for the Florida Heart Research Institute
- \$1 for Southeastern Guide Dogs, Inc.
- An unspecified amount for Florida Mothers Against Drunk Driving, Inc.

The required \$10,000 fee provided by the Sertoma Speech and Hearing Foundation of Florida, Inc. will defray the DHSMV’s programming and operational costs associated with the development of the motor vehicle registration and renewal application check-off.

This bill is effective July 1, 2007.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

This bill does not appear to implicate any of the House Principles.

B. EFFECT OF PROPOSED CHANGES:

Section 320.023, F.S., provides procedures that an organization must follow prior to seeking legislative authorization to establish a voluntary check-off on a motor vehicle registration application. Before the organization is eligible, the organization must submit to DHSMV for review at least 90 days before the convening of the regular session of the Legislature:

- A request for the particular voluntary contribution being sought, describing it in general terms.
- An application fee of up to \$10,000 to defray DHSMV's costs for reviewing the application and developing the check-off, if authorized.
- A short and long-term marketing strategy and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the voluntary contributions.

DHSMV must discontinue the check-off if less than \$25,000 has been contributed by the end of the fifth year, or if less than \$25,000 is contributed during any subsequent 5-year period. Currently, the motor vehicle registration and registration renewal form contains eight voluntary contribution check-offs as required by s. 320.02, F.S. The following voluntary contributions are included:

- \$2 for the Highway Safety Operating Trust for the purpose of child safety seats
- \$1 for the Nongame Wildlife Trust Fund
- \$5 for the Election Campaign Financing Trust Fund
- \$1 for the Transportation Disadvantaged Trust Fund
- \$1 for Prevent Blindness Florida
- \$1 for the Florida Heart Research Institute
- \$1 for Southeastern Guide Dogs, Inc.
- An unspecified amount for Florida Mothers Against Drunk Driving, Inc.

Voluntary contributions may not be used for commercial or for-profit activities, or for general or administrative expenses, except as authorized by law or to pay the cost of any audit or report required by law.¹ Any voluntary contributions authorized by law shall only be distributed under an appropriation by the Legislature.²

According to SSHF, its mission is to provide quality development and rehabilitative services, products, and education (primarily to children) throughout Florida, in a caring and compassionate environment, never limited by ability to pay.

Pursuant to a January 17, 2007 letter from Fred O. Dickinson, Executive Director of the DHSMV, the Sertoma Speech and Hearing Foundation of Florida, Inc., has met all of the application and statutory requirements including the application fee, as specified in Section 320.023, F.S., for requesting the voluntary contribution language on each motor vehicle registration and renewal application form.

¹ Section 320.023 (5) Florida Statutes

² Section 320.023 (5) (c) Florida Statutes

C. SECTION DIRECTORY:

Section 1 amends s. 320.02, F.S., to require the DHSMV to include a check-off for a voluntary \$1 contribution to the Children's Hearing Help Fund on each motor vehicle registration or renewal; provides for the use of the funds; and exempts such funds from the general revenue service charge.

Section 2 provides an effective date of July 1, 2007.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

There are no known or expected fiscal impacts on state government revenues.

2. Expenditures:

The required \$10,000 fee provided by the Sertoma Speech and Hearing Foundation of Florida, Inc. will defray DHSMV's programming costs associated with the development of the motor vehicle registration and renewal application check-off.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

There are no known or expected fiscal impacts on local government revenues.

2. Expenditures:

There are no known or expected fiscal impacts on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Applicants for motor vehicle registrations and renewals wishing to contribute \$1.00 to the Children's Hearing Help Fund would be able to select this organization from a voluntary check-off on the motor vehicle registration or renewal form. The contribution is not mandatory. The estimated first year revenues are not known.

D. FISCAL COMMENTS:

None

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable because this bill does not appear to require the counties or cities to spend funds or take an action requiring the expenditure of funds. It also does not reduce the authority that cities or counties have to raise revenues in the aggregate or reduce the percentage of a state tax shared with cities or counties.

2. Other:

None

B. RULE-MAKING AUTHORITY:

No rule making authority is required to implement the provisions of this bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

Drafting Issues

The DHSMV recommends that this act take effect October 1, 2007 instead of July 1, 2007 to allow time for implementation. The sponsor has indicated that he will offer an amendment to change the effective date.

Other Issues

The Children's Hearing Help Fund will be one part of a cooperative program, currently being coordinated between the SSHF and the Children's Medical Service/Early Intervention Program. The program has expanded its goals and services to include provision of educational and financial assistance for low to moderate income families with minor children, from newborn to eighteen years of age for hearing evaluations, loaner hearing devices, permanent hearing devices, and the ongoing maintenance and replacement of the devices, if necessary until the child reaches eighteen years of age.

D. STATEMENT OF THE SPONSOR

No statement submitted.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On March 8, 2007, this bill was considered by the Infrastructure Committee. An amendment was adopted that changed the effective date from July 1, 2007 to October 1, 2007. The bill was reported as favorable with an amendment.