

**The Florida Senate**  
**PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Commerce Committee

BILL: SB 866

INTRODUCER: Senator Diaz de la Portilla

SUBJECT: Regulatory Fees / DOACS

DATE: March 9, 2007

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hinely	Cooper	CM	<b>Pre-meeting</b>
2.			AG	
3.			GA	
4.			RC	
5.				
6.				

**I. Summary:**

This is a shell bill expressing that the Legislature intends to revise laws relating to regulatory fees of the Department of Agriculture and Consumer Services.

**II. Present Situation:**

Section 527.02, F.S., requires that certain individuals involved in the liquefied petroleum industry must obtain a license from the Department of Agriculture and Consumer Services (department) and outlines the applications and renewal fees. Categories of licensees include: pipeline system operator, category I liquefied petroleum gas dealer, category II liquefied petroleum gas dispenser, category III liquefied petroleum gas cylinder exchange operator, category IV liquefied petroleum gas dispenser and recreational vehicle servicer, category V liquefied petroleum gas dealer for industrial uses only, LP gas installer, specialty installer, dealer in liquefied petroleum gas appliances and equipment, manufacturer of liquefied petroleum gas appliances and equipment, requalifier of cylinders, or fabricator, repairer, and tester of vehicles and cargo tanks.

In addition to licensure requirements, s. 527.0201, F.S., requires licensees for a pipeline system operator, category I liquefied petroleum gas dealer, category II liquefied petroleum gas dispenser, category IV liquefied petroleum gas dispenser and recreational vehicle servicer, category V liquefied petroleum gas dealer for industrial use, liquefied petroleum gas installer, specialty installer, requalifier of cylinders, fabricator, repair, and vehicle and tank testers to pass a written examination administered by the department with a grade of 75 percent or above. Applicants for the exam are required to submit a \$20 nonrefundable fee.

Section 527.061, F.S., gives the department the authority to inspect vehicles which transport liquefied petroleum gas to determine whether there are any violations of s. 527, F.S., or any department rules. Section 527.021, F.S., establishes an inspection fee of \$50 assessed to each registered vehicle inspected by the department.

The current liquefied petroleum application fee and renewal amounts have been in place since 1991. Pursuant to s. 216.0236, F.S.,<sup>1</sup> the Department of Agriculture and Consumer Services has evaluated its regulatory fees and determined that the current and projected revenues are insufficient to cover costs to issue licenses, administer exams, and inspect vehicles.

### **III. Effect of Proposed Changes:**

**Section 1** expresses the legislative intent to revise laws relating to regulatory fees of the Department of Agriculture and Consumer services.

**Section 2** provides that this act shall take effect upon becoming a law.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Economic Impact and Fiscal Note:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

None.

#### **C. Government Sector Impact:**

None.

---

<sup>1</sup> Section 216.0236, created by ch. 2006-93, L.O.F., states that the cost of providing regulatory services should be borne solely by the businesses which are regulated and requires each agency to examine annually its regulatory fees to determine whether the fees are sufficient to cover such regulatory costs. Upon a finding that current fees are insufficient to cover the costs of regulation the agency is instructed to present its findings as part of its legislative budget request along with recommendations.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

---

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---



## **VIII. Summary of Amendments:**

---

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

---