

1                                   A bill to be entitled  
 2           An act relating to special license plates; creating s.  
 3           320.0894, F.S.; directing the Department of Highway Safety  
 4           and Motor Vehicles to develop and issue a Gold Star  
 5           license plate honoring the family members of  
 6           servicemembers who have been killed in action while  
 7           serving in the Armed Forces of the United States;  
 8           providing for design of the plate; providing eligibility  
 9           requirements; providing for payment of certain taxes and  
 10          fees; providing an effective date.

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

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 14           Section 1. Section 320.0894, Florida Statutes, is created  
 15 to read:

16           320.0894 Motor vehicle license plates to Gold Star family  
 17 members.--The department shall develop a special license plate  
 18 honoring the family members of servicemembers who have been  
 19 killed in action while serving in the Armed Forces of the United  
 20 States. The license plate shall be officially designated as the  
 21 Gold Star license plate and shall be developed and issued as  
 22 provided in this section.

23           (1) The Gold Star license plate must bear the colors and  
 24 design approved by the department in cooperation with supporters  
 25 of the license plate. The word "Florida" must appear at the top  
 26 of the plate, and the words "Gold Star Family" must appear at  
 27 the bottom of the plate. The plate shall bear a unique design  
 28 that includes the symbol for a fallen servicemember, a gold star

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29 with blue fringe on a white background with a red border. The  
30 symbol shall be no larger than 3 inches by 3 inches and shall be  
31 placed in a conspicuous place to the left of the identifying  
32 number of the plate, which identifying number shall consist of  
33 no more than six alphanumeric characters.

34 (2) This section shall not be implemented until such time  
35 as the state has, through a licensing agreement or otherwise,  
36 received such license or other permission as may be required to  
37 implement this section. The designs of the initial and  
38 subsequent editions of the Gold Star license plate, except any  
39 part of the designs owned by others and licensed to the state,  
40 shall be owned solely by the state for its exclusive use and  
41 control, except as authorized by the department. The department  
42 may take such steps as may be necessary to give notice of and  
43 protect such right, including the copyright or copyrights.  
44 However, such steps shall be cumulative of the ownership and  
45 exclusive use and control established by this subsection as a  
46 matter of law, and no person shall reproduce or otherwise use  
47 such designs except as authorized by the department.

48 (3) (a) Each owner or lessee of an automobile or truck for  
49 private use, truck weighing not more than 7,999 pounds, or  
50 recreational vehicle as specified in s. 320.08(9)(c) or (d),  
51 which automobile, truck, or vehicle is not used for hire or  
52 commercial use, who is a resident of this state and who meets  
53 the qualifications provided in subsection (4) shall, upon  
54 application therefor to the department and payment of the  
55 license tax and appropriate fees established in this chapter, be  
56 issued a Gold Star license plate. Each initial application for a

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57 Gold Star license plate must be accompanied by proof that the  
58 applicant meets the requirements provided in subsection (4).

59 (b) The surviving spouse and a surviving parent meeting  
60 the requirements in subsection (4) shall each, upon application  
61 therefor, be issued the Gold Star license plate for one vehicle  
62 per household free of charge. Renewal decals for the plate  
63 issued under this paragraph shall be issued at no cost.

64 (4) (a) 1. The Gold Star license plate shall be issued only  
65 to family members of a servicemember who resided in Florida at  
66 the time of the death of the servicemember.

67 2. To qualify for issuance of a Gold Star license plate,  
68 the applicant must be directly related to a fallen servicemember  
69 as spouse, legal mother or father, or stepparent who is  
70 currently married to the mother or father of the fallen  
71 servicemember.

72 3. Whether a servicemember is deemed to have been killed  
73 in action shall be determined by the classification of death as  
74 listed by the United States Department of Defense and may be  
75 verified from documentation directly from the Department of  
76 Defense or from its subordinate agencies, such as the Coast  
77 Guard, Reserve, or National Guard. A classification of "killed  
78 in action" by the Department of Defense shall be prima facie  
79 evidence that the servicemember was killed in action.

80 (b) The applicant must provide documentation of the fact  
81 that the servicemember was killed in action and proof of  
82 relationship to the servicemember to the tax collector or  
83 license plate agent before being issued a Gold Star license  
84 plate. The tax collector or license plate agent may waive the

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85 requirement for such documentation and proof if he or she has  
86 actual knowledge of the family relationship and that the  
87 servicemember was killed in action.

88 (5) An eligible family member may request a Gold Star  
89 license plate at any time during his or her registration period.  
90 If such a license plate is to replace a current valid license  
91 plate, the license plate shall be issued with appropriate  
92 renewal decals attached.

93 Section 2. This act shall take effect July 1, 2007.