

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Transportation Committee

BILL: CS/SB 1138

INTRODUCER: Transportation Committee and Senator Fasano

SUBJECT: Motor Vehicles

DATE: March 3, 2010 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	McManus	Meyer	TR	Fav/CS
2.			ED	
3.			HI	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

This bill creates check-offs for motor vehicle registration and driver's license forms. All organizations are not-for-profit, and have completed the statutory requirements authorizing them to seek Legislative enactment of the voluntary contribution check-offs.

- The bill requires the DHSMV to include a check-off for a voluntary contribution to Blind Babies and Blind Youth Services on motor vehicle registration and renewal forms.
- The bill requires the DHSMV to include a check-off for a voluntary contribution to Senior Vision Services on applications for driver's licenses, license renewals, license extensions, and license duplicates.
- The bill requires the DHSMV to include a check-off for a voluntary contribution to The Arc of Florida on motor vehicle registration forms and renewal forms.
- The bill requires the DHSMV to include a check-off for a voluntary contribution to Ronald McDonald House Charities of Tampa Bay, Inc., on motor vehicle registration and renewal forms, as well as all drivers' license application forms.

This bill substantially amends: ss. 320.02, 322.08, 322.18, F.S.

II. Present Situation:

About Drivers' License Check-offs

Section 322.081, F.S., provides the procedures an organization must follow prior to seeking legislative authorization to request the creation of a new voluntary contribution fee and establish a corresponding voluntary check-off on a driver's license application. The check-off allows a person applying for or renewing a Florida driver's license to voluntarily contribute to one or more of the authorized organizations during the driver's license transaction. Before the organization is eligible, it must submit the following to the DHSMV 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 the DHSMV's costs for reviewing the application and developing the check-off, if authorized. State funds may not be used to pay the application fee.
- 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.

The 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.¹

Pursuant to s. 322.08(7), F.S., the driver's license application and renewal forms currently include the following seven voluntary contribution check-offs. (The eighth, for Prevent Blindness Florida, is authorized in s. 322.18(9)(a), F.S.). The total revenue and revenue generated by each check-off in the last 5-year period are summarized in the chart below.²

Driver License Check-offs/Voluntary Contribution	Statutory Authorization	Effective Date	Revenue Collected w/in last 5 years	Total Revenue Collected
Organ & Tissue Donor Education (\$1)	1995-423, L.O.F.	7/1/1995	\$402,603	\$1,091,209
Prevent Blindness Florida (\$1)	1995-333, L.O.F.	10/01/1995	\$2,092,878	\$3,208,017
Florida Council of the Blind (\$1)	1996-413, L.O.F.	6/5/1996	\$185,343	\$482,340
Hearing Research Institute (\$2)	2000-313, L.O.F.	10/1/2000	\$185,053	\$320,988
Juvenile Diabetes Foundation International (\$1)	2000-313, L.O.F.	10/1/2000	\$592,835	\$1,017,278
Children's Hearing Help Fund (\$1)	2005-68, L.O.F.	7/1/2005	\$260,763	\$260,763

¹ Section 322.081(4)(a), F.S.

² The charts in this analysis were prepared by Senate staff as part of Senate Interim Report 2010-131, *Review of the Requirements for Establishing Specialty License Plates and Registration and Driver's License Check-Offs*, October 2009.

Family First (\$1)	2008-102, L.O.F.	10/1/2008	\$150,047	\$150,047
Stop Heart Disease (\$1)	2009-100, L.O.F.	10/1/2009	\$0	\$0
Total			\$3,869,522	\$6,530,642

About Motor Vehicle Registration Check-offs

During the 1998 Session, the Legislature created s. 320.023, F.S., which outlines the procedures which an organization must follow prior to seeking Legislative authorization to request the creation of a new voluntary contribution fee and establish a corresponding voluntary check-off on a motor vehicle registration application. The check-off allows a registered owner or registrant of a motor vehicle to voluntarily contribute to one or more of the authorized organizations during a motor vehicle registration transaction. Before the organization is eligible, it must submit the following requirements to DHSMV 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. State funds may not be used to pay the application fee.
- 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 five-year period.

Registration Check-offs/Voluntary Contribution	Statutory Authorization	Effective Date	Revenue Collected w/in last 5 years	Total Revenue Collected
*Save the Manatee TF (\$2 or \$5)	1984-338, L.O.F.	7/1/1985	\$478,310	\$3,191,012
Nongame Wildlife Trust Fund (\$1)	1984-194, L.O.F.	10/1/1984	\$210,421	\$19,244,868
*Marine Resources Conservation TF (\$5) Turtle Sticker is issued	1991-215, L.O.F.	7/1/1992	\$422,228	\$1,067,533
Organ & Tissue Donor Education (\$1)	95-423, L.O.F.	7/1/1995	\$284,239	\$586,143
Highway Safety Operating Trust Fund, used to purchase child safety seats (\$2)	1995-333, L.O.F.	10/1/1995	\$253,237	\$649,751
Transportation Disadvantaged Trust Fund (\$1)	1994-306, L.O.F.	7/1/1994	\$155,605	\$362,242
Prevent Blindness Florida (\$1)	1997-300, L.O.F.	10/1/1997	\$567,325	\$968,679
Florida Mothers Against Drunk Driving, Inc. (unspecified \$)	1999-233, L.O.F.	7/1/1999	\$350,902	\$542,973
Southeastern Guide Dogs, Inc. (\$1)	2005-254, L.O.F.	7/1/2005	\$225,256	\$225,256

Miami Heart Research Institute, Inc. (\$1)	2006-44, L.O.F.	7/1/2006	\$98,465	\$98,465
Children’s Hearing Help Fund (\$1)	2007-50, L.O.F.	10/1/2007	\$63,886	\$63,886
State Homes for Veterans Trust Fund (\$1)	2008-87, L.O.F.	10/1/2008	\$82,806	\$82,806
Family First (\$1)	2008-102, L.O.F.	10/1/2008	\$16,365	\$16,365
Florida Sheriffs Youth Ranches, Inc. (\$1)	2009-110, L.O.F.	7/1/2009	\$176	\$176
Total			\$3,209,221	\$27,100,155

Section 320.02, F.S., specifies the language that must appear on the State of Florida vehicle’s registration and renewal application forms. Included in s. 320.02, F.S., are options for voluntary contributions to the above corporations, trust funds, and organizations as shown in the chart above. The chart includes three additional voluntary contributions relating to registrations authorized in other sections of law.³

These contributions are not income revenue and are not subject to the trust fund service charge detailed in s. 215.20, F.S., with the exception of the Organ and Tissue Donor trust fund.⁴

The Florida Association for Agencies Serving the Blind (FAASB), is a statewide nonprofit organization that provides direct support services to visually impaired and blind Floridians through local nonprofit member agencies. The mission of FAASB is to serve as a united voice and be the organizational support empowering private agencies serving Floridians with blindness and visual impairment to provide state-of-the-art professional vision rehabilitation services which enhance the quality of individual and community life. The FAASB is a not-for-profit 501(c)3 organization.

The Arc of Florida advocates for the rights and full participation of all children and adults with intellectual and developmental disabilities. Together with our network of members and affiliated chapters, we improve systems of supports and services; connect families; inspire communities and influence public policy. The Arc is a not-for-profit 501(c)3 organization.

Ronald McDonald House Charities is a non-profit, 501(c)(3) organization with 181 local Chapters currently operating in 49 countries. Each local Ronald McDonald House Charities Chapter is a separate public charity, operated by a local Board of Directors. In addition to its cornerstone Ronald McDonald House program, the Chapters support a variety of other programs, which may include a Ronald McDonald Family Room, a Ronald McDonald Care Mobile, and/or college scholarships for high school students. The Charity also awards grants to other organizations that directly improve the health and well being of children. To date, Ronald

³ Specifically, s. 320.08047, F.S., allows a \$1 voluntary contribution to be deposited into the Health Care Trust Fund for organ and tissue donor education and for maintaining the organ and tissue donor registry. Section 328.72(11), F.S., requires that vessel registration and renewal application forms include a provision allowing for a voluntary contribution of \$2 or \$5 to the Save the Manatee Trust Fund to fund an impartial scientific benchmark census of the manatee population in the state and other activities intended to provide manatee and marine mammal protection and recovery efforts. Lastly, s. 328.72(16), F.S., requires the DHSMV to offer for sale with vessel registrations a marine turtle sticker for \$5 with proceeds deposited into the Marine Resource Conservation Trust Fund to be used for marine turtle protection, research, and recovery efforts.

⁴ Section 320.02, F.S., and section 322.081, F.S.

McDonald House Charities' national body and global network of local Chapters have awarded more than \$400 million in grants to children's programs worldwide.

III. Effect of Proposed Changes:

This bill would amend ss. 320.02, 322.08, and 322.18, F.S., to include a voluntary contribution check-off option of \$1 on motor vehicle registration to Blind Babies and Blind Youth Services. A voluntary contribution check-off option of \$1 would be included on all drivers' license application forms to Senior Vision Services. The DHSMV would receive voluntary contributions and transfer funds monthly to the Florida Association of Agencies Serving the Blind, Inc. Contributions are not income of a revenue nature for the purposes of applying the service charge provided in s. 215.20, F.S. According to the DHSMV, the Florida Association of Agencies Serving the Blind, Inc., has met the requirements set forth in s. 320.023, F.S.

This bill would amend s. 320.02, F.S., to include a voluntary contribution check-off option of \$1 on motor vehicle registration forms to The Arc of Florida. The DHSMV would receive voluntary contributions and transfer funds monthly to The Arc of Florida. The Arc of Florida shall use the proceeds to provide programs and services in this state for persons with developmental disabilities. Contributions are not income of a revenue nature for the purposes of applying the service charge provided in s. 215.20, F.S. According to the DHSMV, The Arc of Florida has met the requirements set forth in s. 320.023, F.S.

This bill would amend ss. 320.02, 322.08, and 322.18, F.S., to include a voluntary contribution check-off option of \$1 on motor vehicle registration forms and a voluntary contribution check-off option of \$1 on all drivers' license application forms to Ronald McDonald House Charities of Tampa Bay, Inc. The DHSMV would receive voluntary contributions and transfer funds monthly to Ronald McDonald House Charities of Tampa Bay, Inc. Contributions are not income of a revenue nature for the purposes of applying the service charge provided in s. 215.20, F.S. According to the DHSMV, Ronald McDonald House Charities of Tampa Bay, Inc., has met the requirements set forth in s. 320.023, F.S.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Applicants for motor vehicle registration and renewals wishing to donate \$1 to Blind Babies and Blind Youth Services, would have the option of doing so by selecting the check-off option on the application form. Applicants for driver's licenses, driver's license duplicates, renewal issuances, and renewal extensions wishing to donate \$1 to Senior Vision Services, would have the option to do so by selecting the check-off option on the application form. The Florida Association of Agencies Serving the Blind, Inc., would benefit by receiving monthly donations.

Applicants for motor vehicle registration and renewals wishing to donate \$1 to The Arc of Florida, would have the option of doing so by selecting the check-off option on the application form. The Arc of Florida would benefit by receiving monthly donations.

Applicants for motor vehicle registration and renewals and applicants for driver's licenses wishing to donate \$1 to Ronald McDonald House Charities of Tampa Bay, Inc., would have the option of doing so by selecting the check-off option on the application forms. Ronald McDonald House Charities of Tampa Bay, Inc., would benefit by receiving monthly donations.

C. Government Sector Impact:

The Florida Association of Agencies Serving the Blind, Inc., has paid an application fee of \$10,000 each for motor vehicle registrations and driver's license applications, for a total of \$20,000, to defray DHSMV's costs for reviewing the application and developing the check-off.

The Arc of Florida has paid an application fee of \$10,000 for motor vehicle registration applications to defray DHSMV's costs for reviewing the application and developing the check-off.

Ronald McDonald House Charities of Tampa Bay, Inc., has paid an application fee of \$10,000 each for motor vehicle registrations and driver's license applications, for a total of \$20,000, to defray DHSMV's costs for reviewing the application and developing the check-off.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on March 3, 2010:

Amendment 108314 adds a voluntary check-off for \$1 on motor vehicle application forms for the Arc of Florida.

Amendment 207206 adds a voluntary check-off for \$1 on motor vehicle application forms and all drivers' license application forms for Ronald McDonald House Charities of Tampa Bay, Inc.

- B. **Amendments:**

None.