



954324

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2010	.	
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The Committee on Transportation (Gardiner) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 12 - 22  
and insert:

Section 1. Section 45 of chapter 2008-176, Laws of Florida, is amended to read:

Section 45. Except for a specialty license plate proposal which has submitted a letter of intent to the Department of Highway Safety and Motor Vehicles prior to May 2, 2008, and which has submitted a valid survey, marketing strategy, and application fee as required by s. 320.08053, Florida Statutes, prior to October 1, 2008 ~~the effective date of this act~~, or



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13 which was included in a bill filed during the 2008 Legislative  
14 Session, the Department of Highway Safety and Motor Vehicles may  
15 not issue any new specialty license plates pursuant to ss.  
16 320.08056 and 320.08058, Florida Statutes, between July 1, 2008,  
17 and July 1, 2014 ~~2011~~.

18 Section 2. Section 320.08053, Florida Statutes, is amended  
19 to read:

20 320.08053 Requirements for requests to establish specialty  
21 license plates.—

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

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

30 ~~(b) The results of a scientific sample survey of Florida~~  
31 ~~motor vehicle owners that indicates at least 30,000 motor~~  
32 ~~vehicle owners intend to purchase the proposed specialty license~~  
33 ~~plate at the increased cost. As used in this paragraph, the term~~  
34 ~~"scientific sample survey" means information that is gathered~~  
35 ~~from a representative subset of the population as a whole. The~~  
36 ~~sample survey of registered motor vehicle owners must be~~  
37 ~~performed independently of the requesting organization by an~~  
38 ~~organization that conducts similar sample surveys as a normal~~  
39 ~~course of business. Prior to conducting a sample survey for the~~  
40 ~~purposes of this section, a requesting organization must obtain~~  
41 ~~a determination from the department that the organization~~



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42 ~~selected to conduct the survey performs similar surveys as a~~  
43 ~~normal course of business and is independent of the requesting~~  
44 ~~organization. The methodology, results, and any evaluation by~~  
45 ~~the department of the scientific sample survey shall be~~  
46 ~~validated by the Auditor General as a condition precedent to~~  
47 ~~submission of the specialty license plate for approval by the~~  
48 ~~Legislature.~~

49 (b) ~~(e)~~ An application fee, not to exceed \$60,000, to defray  
50 the department's cost for reviewing the application and  
51 developing the specialty license plate, if authorized. State  
52 funds may not be used to pay the application fee, except for  
53 collegiate specialty license plates authorized in s.  
54 320.08058(3) and (13). ~~The specialty license plate application~~  
55 ~~provisions of this act shall not apply to any organization which~~  
56 ~~has requested and received the required forms for obtaining a~~  
57 ~~specialty license plate authorization from the Department of~~  
58 ~~Highway Safety and Motor Vehicles, has opened a bank account for~~  
59 ~~the funds collected for the specialty license tag and has made~~  
60 ~~deposits to such an account, and has obtained signatures toward~~  
61 ~~completing the requirements for the specialty license tag. All~~  
62 applications requested on or after the effective date of this  
63 act must meet the requirements of this act.

64 (c) ~~(d)~~ A marketing strategy outlining short-term and long-  
65 term marketing plans for the requested specialty license plate  
66 and a financial analysis outlining the anticipated revenues and  
67 the planned expenditures of the revenues to be derived from the  
68 sale of the requested specialty license plates.

69  
70 The information required under this subsection must be submitted



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71 to the department at least 90 days before the convening of the  
72 next regular session of the Legislature.

73 (2) If the specialty license plate requested by the  
74 organization is approved by law, the organization must submit  
75 the proposed art design for the specialty license plate to the  
76 department, in a medium prescribed by the department, as soon as  
77 practicable, but no later than 60 days after the act approving  
78 the specialty license plate becomes a law. If the specialty  
79 license plate requested by the organization is not approved by  
80 the Legislature or does not meet the presale requirements in  
81 subsection (3), the application fee shall be refunded to the  
82 requesting organization.

83 (3) (a) Within 120 days following the specialty license  
84 plate becoming law, the department shall establish a method to  
85 issue a specialty license plate voucher to allow for the presale  
86 of the specialty license plate. The processing fee as prescribed  
87 in s. 320.08056, the service charge and branch fee as prescribed  
88 in s. 320.04, and the annual use fee as prescribed in s.  
89 320.08056 shall be charged for the voucher. All other applicable  
90 fees shall be charged at the time of issuance of the license  
91 plates.

92 (b) Within 24 months after the presale specialty license  
93 plate voucher is established, the approved specialty license  
94 plate organization must record with the department a minimum of  
95 1,000 voucher sales before manufacture of the license plate may  
96 commence. If, at the conclusion of the 24-month presale period,  
97 the minimum sales requirements have not been met, the specialty  
98 plate is deauthorized and the department shall discontinue  
99 development of the plate and discontinue issuance of the presale



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100 vouchers. Upon deauthorization of the license plate, a purchaser  
101 of the license plate voucher may use the annual use fee  
102 collected as a credit towards any other specialty license plate  
103 or apply for a refund on a form prescribed by the department.

104 (c) An organization that meets the requirements of this  
105 subsection shall be deemed to have submitted a valid survey for  
106 purposes of s. 45 of chapter 2008-176, Laws of Florida, as  
107 amended.

108 Section 3. Subsection (1) and paragraph (b) of subsection  
109 (8) of section 320.08056, Florida Statutes, are amended, and  
110 paragraph (rrr) is added to subsection (4) of that section, to  
111 read:

112 320.08056 Specialty license plates.-

113 (1) The department is responsible for developing the  
114 specialty license plates authorized in s. 320.08053. ~~The~~  
115 ~~department shall begin production and distribution of each new~~  
116 ~~specialty license plate within 1 year after approval of the~~  
117 ~~specialty license plate by the Legislature.~~

118 (4) The following license plate annual use fees shall be  
119 collected for the appropriate specialty license plates:

120 (rrr) Hispanics Settled Florida in 1513 license plate, \$25.

121 (8)

122 (b) The department is authorized to discontinue the  
123 issuance of a specialty license plate and distribution of  
124 associated annual use fee proceeds if the organization no longer  
125 exists, if the organization has stopped providing services that  
126 are authorized to be funded from the annual use fee proceeds, if  
127 the organization does not meet the presale requirements as  
128 prescribed in s. 320.08053(3), or pursuant to an organizational



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129 recipient's request. Organizations shall ~~are required to~~ notify  
130 the department immediately to stop all warrants for plate sales  
131 if any of the conditions in this section exist, and must meet  
132 the requirements of s. 320.08062 for any period of operation  
133 during a fiscal year.

134 Section 4. Subsection (70) is added to section 320.08058,  
135 Florida Statutes, to read:

136 320.08058 Specialty license plates.—

137 (70) HISPANICS SETTLED FLORIDA IN 1513 LICENSE PLATES.—

138 (a) Upon the National Hispanics Corporate Achievers, Inc.,  
139 meeting the requirements of s. 320.08053, the department shall  
140 develop a Hispanics Settled

141  
142 ===== T I T L E A M E N D M E N T =====

143 And the title is amended as follows:

144 Delete line 3

145 and insert:

146 s. 45 of chapter 2008-176, Laws of Florida; delaying  
147 the expiration of the moratorium on the issuance of  
148 new specialty license plates by the Department of  
149 Highway Safety and Motor Vehicles; amending s.  
150 320.08053, F.S.; removing provisions requiring that an  
151 organization seeking authorization to establish a new  
152 specialty license plate submit a sample survey of  
153 motor vehicle owners to the department; requiring that  
154 the department establish a method to issue vouchers  
155 allowing the presale of a specialty license plate;  
156 requiring that an organization that is approved to  
157 issue a specialty license plate record with the



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158 department a minimum number of voucher sales in order  
159 to proceed with the development of the plate;  
160 providing for the purchaser of a voucher to receive a  
161 refund or use the voucher to purchase of another  
162 license plate if the specialty plate is deauthorized;  
163 amending ss. 320.08056 and 320.08058, F.S.; conforming  
164 provisions to changes made by the act; creating the