

By the Committee on Transportation; and Senator Siplin

596-04814-10

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1 A bill to be entitled
2 An act relating to specialty license plates; amending
3 s. 45 of chapter 2008-176, Laws of Florida; delaying
4 the expiration of the moratorium on the issuance of
5 new specialty license plates by the Department of
6 Highway Safety and Motor Vehicles; amending s.
7 320.08053, F.S.; removing provisions requiring that an
8 organization seeking authorization to establish a new
9 specialty license plate submit a sample survey of
10 motor vehicle owners to the department; requiring that
11 the department establish a method to issue vouchers
12 allowing the presale of a specialty license plate;
13 requiring that an organization that is approved to
14 issue a specialty license plate record with the
15 department a minimum number of voucher sales in order
16 to proceed with the development of the plate;
17 providing for the purchaser of a voucher to receive a
18 refund or use the voucher to purchase of another
19 license plate if the specialty plate is deauthorized;
20 amending ss. 320.08056 and 320.08058, F.S.; conforming
21 provisions to changes made by the act; creating the
22 the Hispanics Settled Florida in 1513 license plate;
23 establishing an annual use fee for the plate;
24 providing for the distribution of use fees received
25 from the sale of such plate; providing an effective
26 date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. Section 45 of chapter 2008-176, Laws of Florida,
31 is amended to read:

32 Section 45. Except for a specialty license plate proposal
33 which has submitted a letter of intent to the Department of
34 Highway Safety and Motor Vehicles prior to May 2, 2008, and
35 which has submitted a valid survey, marketing strategy, and
36 application fee as required by s. 320.08053, Florida Statutes,
37 prior to October 1, 2008 ~~the effective date of this act~~, or
38 which was included in a bill filed during the 2008 Legislative
39 Session, the Department of Highway Safety and Motor Vehicles may
40 not issue any new specialty license plates pursuant to ss.
41 320.08056 and 320.08058, Florida Statutes, between July 1, 2008,
42 and July 1, 2014 ~~2011~~.

43 Section 2. Section 320.08053, Florida Statutes, is amended
44 to read:

45 320.08053 Requirements for requests to establish specialty
46 license plates.—

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

50 (a) A request for the particular specialty license plate
51 being sought, describing the proposed specialty license plate in
52 specific terms, including a sample plate that conforms to the
53 specifications set by the department and this chapter, and that
54 is in substantially final form.

55 ~~(b) The results of a scientific sample survey of Florida~~
56 ~~motor vehicle owners that indicates at least 30,000 motor~~
57 ~~vehicle owners intend to purchase the proposed specialty license~~
58 ~~plate at the increased cost. As used in this paragraph, the term~~

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59 ~~"scientific sample survey" means information that is gathered~~
60 ~~from a representative subset of the population as a whole. The~~
61 ~~sample survey of registered motor vehicle owners must be~~
62 ~~performed independently of the requesting organization by an~~
63 ~~organization that conducts similar sample surveys as a normal~~
64 ~~course of business. Prior to conducting a sample survey for the~~
65 ~~purposes of this section, a requesting organization must obtain~~
66 ~~a determination from the department that the organization~~
67 ~~selected to conduct the survey performs similar surveys as a~~
68 ~~normal course of business and is independent of the requesting~~
69 ~~organization. The methodology, results, and any evaluation by~~
70 ~~the department of the scientific sample survey shall be~~
71 ~~validated by the Auditor General as a condition precedent to~~
72 ~~submission of the specialty license plate for approval by the~~
73 ~~Legislature.~~

74 (b) ~~(e)~~ An application fee, not to exceed \$60,000, to defray
75 the department's cost for reviewing the application and
76 developing the specialty license plate, if authorized. State
77 funds may not be used to pay the application fee, except for
78 collegiate specialty license plates authorized in s.
79 320.08058(3) and (13). ~~The specialty license plate application~~
80 ~~provisions of this act shall not apply to any organization which~~
81 ~~has requested and received the required forms for obtaining a~~
82 ~~specialty license plate authorization from the Department of~~
83 ~~Highway Safety and Motor Vehicles, has opened a bank account for~~
84 ~~the funds collected for the specialty license tag and has made~~
85 ~~deposits to such an account, and has obtained signatures toward~~
86 ~~completing the requirements for the specialty license tag. All~~
87 applications requested on or after the effective date of this

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88 act must meet the requirements of this act.

89 ~~(c)-(d)~~ A marketing strategy outlining short-term and long-
90 term marketing plans for the requested specialty license plate
91 and a financial analysis outlining the anticipated revenues and
92 the planned expenditures of the revenues to be derived from the
93 sale of the requested specialty license plates.

94

95 The information required under this subsection must be
96 submitted to the department at least 90 days before the
97 convening of the next regular session of the Legislature.

98 (2) If the specialty license plate requested by the
99 organization is approved by law, the organization must submit
100 the proposed art design for the specialty license plate to the
101 department, in a medium prescribed by the department, as soon as
102 practicable, but no later than 60 days after the act approving
103 the specialty license plate becomes a law. If the specialty
104 license plate requested by the organization is not approved by
105 the Legislature or does not meet the presale requirements in
106 subsection (3), the application fee shall be refunded to the
107 requesting organization.

108 (3) (a) Within 120 days following the specialty license
109 plate becoming law, the department shall establish a method to
110 issue a specialty license plate voucher to allow for the presale
111 of the specialty license plate. The processing fee as prescribed
112 in s. 320.08056, the service charge and branch fee as prescribed
113 in s. 320.04, and the annual use fee as prescribed in s.
114 320.08056 shall be charged for the voucher. All other applicable
115 fees shall be charged at the time of issuance of the license
116 plates.

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117 (b) Within 24 months after the presale specialty license
118 plate voucher is established, the approved specialty license
119 plate organization must record with the department a minimum of
120 1,000 voucher sales before manufacture of the license plate may
121 commence. If, at the conclusion of the 24-month presale period,
122 the minimum sales requirements have not been met, the specialty
123 plate is deauthorized and the department shall discontinue
124 development of the plate and discontinue issuance of the presale
125 vouchers. Upon deauthorization of the license plate, a purchaser
126 of the license plate voucher may use the annual use fee
127 collected as a credit towards any other specialty license plate
128 or apply for a refund on a form prescribed by the department.

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

133 Section 3. Subsection (1) and paragraph (b) of subsection
134 (8) of section 320.08056, Florida Statutes, are amended, and
135 paragraph (rrr) is added to subsection (4) of that section, to
136 read:

137 320.08056 Specialty license plates.—

138 (1) The department is responsible for developing the
139 specialty license plates authorized in s. 320.08053. ~~The~~
140 ~~department shall begin production and distribution of each new~~
141 ~~specialty license plate within 1 year after approval of the~~
142 ~~specialty license plate by the Legislature.~~

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

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

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146 (8)

147 (b) The department is authorized to discontinue the
148 issuance of a specialty license plate and distribution of
149 associated annual use fee proceeds if the organization no longer
150 exists, if the organization has stopped providing services that
151 are authorized to be funded from the annual use fee proceeds, if
152 the organization does not meet the presale requirements as
153 prescribed in s. 320.08053(3), or pursuant to an organizational
154 recipient's request. Organizations shall ~~are required to~~ notify
155 the department immediately to stop all warrants for plate sales
156 if any of the conditions in this section exist, and must meet
157 the requirements of s. 320.08062 for any period of operation
158 during a fiscal year.

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

161 320.08058 Specialty license plates.—

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

163 (a) Upon the National Hispanics Corporate Achievers, Inc.,
164 meeting the requirements of s. 320.08053, the department shall
165 develop a Hispanics Settled Florida in 1513 license plate as
166 provided in this section. The plate must bear the colors and
167 design approved by the department. The word "Florida" must
168 appear at the top of the plate and the words
169 "WWW.HISPANICACHIEVERS.ORG" must appear at the bottom of the
170 plate.

171 (b) The annual use fees shall be distributed to National
172 Hispanic Corporate Achievers, Inc., an organization in Longwood
173 which sponsors minority job fairs. National Hispanic Corporate
174 Achievers, Inc., shall use the funds as follows:

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175 1. Ten percent shall be distributed to the Valencia
176 Community College Foundation to fund scholarship grants to
177 Hispanic students;

178 2. Ten percent shall be distributed to Anna G. Mendez
179 University to fund scholarship grants to Hispanic students;

180 3. Thirty percent shall be distributed to the Florida
181 Hispanic Foundation to fund scholarship grants to community
182 colleges in this state, as determined by the foundation; and

183 4. The remaining funds shall be used by Hispanic Corporate
184 Achievers, Inc., to fund job-development programs, job fairs,
185 and educational seminars in this state.

186 Section 5. This act shall take effect July 1, 2010.