

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 Committee on Fiscal Policy

BILL: CS/CS/SB 112

INTRODUCER: Transportation Committee; Military and Veterans Affairs, Space, and Domestic Security Committee; and Senator Hays

SUBJECT: Special License Plates

DATE: April 8, 2015

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|-----------------|-----------------|------------|-----------------------------|
| 1. | <u>Sanders</u> | <u>Ryon</u> | <u>MS</u> | <u>Fav/CS</u> |
| 2. | <u>Jones</u> | <u>Eichin</u> | <u>TR</u> | <u>Fav/CS</u> |
| 3. | <u>Wells</u> | <u>Miller</u> | <u>ATD</u> | <u>Recommend: Favorable</u> |
| 4. | <u>Hrdlicka</u> | <u>Hrdlicka</u> | <u>FP</u> | <u>Pre-meeting</u> |

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/CS/SB 112 creates six special use military license plates. Special use license plates are created for recipients of the Combat Action Ribbon, Air Force Combat Action Medal, and the Distinguished Flying Cross medal. Special plates are also created for women veterans, WWII veterans, and Navy Submariners.

Revenue generated from the sale of these special license plates, with the exception of the "Woman Veteran" plate, will be deposited into the Grants and Donations Trust Fund and the State Homes for Veterans Trust Fund. Revenue generated from the "Woman Veteran" special license plate will be deposited into the Operations and Maintenance Trust Fund administered by the Department of Veterans' Affairs for the purpose of creating and implementing programs benefitting women veterans.

According to the Department of Highway Safety and Motor Vehicles, the cost of initial startup and programming revisions for the creation and manufacture of these six new special use license plates will be \$44,050 from state trust funds.

II. Present Situation:

Special Use License Plates

Current law provides for several types of license plates. In addition to plates issued for governmental or business purposes, the Department of Highway Safety and Motor Vehicles offers four basic types of plates to the general public:

- Standard plates;
- Specialty license plates;
- Personalized prestige license plates; and
- Special use license plates.

Certain members of the general public may be eligible to apply for special use license plates if they are able to document their eligibility pursuant to various sections of ch. 320, F.S. Special use license plates primarily include special use military license plates as well as plates for the handicapped.

Currently, there are 15 special use license plates authorized in s. 320.089, F.S., available to military service members or veterans for the following types of service:¹

- Veteran of the United States Armed Forces;
- Active or retired member of the Florida National Guard;
- Survivor of the attack on Pearl Harbor;
- Recipient of the Purple Heart Medal;
- Active or retired member of any branch of the United States Armed Forces Reserve;
- Recipient of the Combat Infantry Badge;
- Recipient of the Combat Medical Badge;
- Recipient of the Combat Action Badge;
- Former Prisoner of War;
- Veteran of the Korean War;
- Veteran of the Vietnam War;
- Service member or veteran of Operation Desert Shield;
- Service member or veteran of Operation Desert Storm;
- Service member or veteran of Operation Enduring Freedom; and
- Service member or veteran of Operation Iraqi Freedom.

There are currently no special use military plates recognizing the unique contributions of women veterans, WWII veterans, and Navy Submariners.

Special use license plates authorized under s. 320.089, F.S., are stamped with words consistent with the type of special use plate issued. For example, a special use plate issued to a current or former member of the Florida National Guard is stamped with the words “National Guard.” Additionally, a likeness of the related campaign medal or badge appears on the plate.²

¹ Section 320.089, F.S.

² For plate samples, see Department of Highway Safety and Motor Vehicles, *FAQs on Personalized and Military License Plates – How do I purchase a military license plate?*, available at <http://www.flhsmv.gov/specialtytags/pmlpfaq.html#9> (last visited 4/5/2015).

Applicants for special use license plates in s. 320.089, F.S., are required to pay the annual license tax in s. 320.08, F.S., with the exception of certain disabled veterans who qualify for the Pearl Harbor, Purple Heart, or Prisoner of War plate, to whom such plates are issued at no cost.³ The first \$100,000 of the general revenue generated annually from the issuance of special use plates is deposited into the Grants and Donations Trust Fund under the Veterans' Nursing Homes of Florida Act, as described in s. 296.38(2), F.S. Any additional general revenue is deposited into the State Homes for Veterans Trust Fund and used to construct, operate, and maintain domiciliary and nursing homes for veterans.⁴ For Fiscal Year 2013-2014 the total revenue from these plates was \$2,087,743.⁵

Three special use license plates are established in the Florida Statutes to recognize combat service for current or former Army personnel.⁶ However, no special use license plates exist to recognize the awards for service in combat for current or former members of the Air Force, Navy, Marine Corps, or Coast Guard.

Distinguished Flying Cross

America's oldest military aviation award, the Distinguished Flying Cross, was created in the Air Corps Act by the United States Congress on July 2, 1926.⁷ It is a U.S. military decoration awarded to an individual recipient, an aviator, who distinguishes himself or herself by heroism or extraordinary achievement while participating in aerial flight. Eligibility is dependent on service after April 6, 1917, in an Air Corps of either the United States Armed Forces or Armed Forces Reserves. The medal is not limited to combat operations and may be awarded for achievement during times of peace. The Air Force, Navy, and Marine Corps are authorized to use the "V" device, or "Combat V," which denotes that the medal was awarded for heroism.⁸

Combat Action Ribbon

The Combat Action Ribbon recognizes members of the Navy and Marine Corps who rendered satisfactory performance under enemy fire while actively participating in a ground or surface engagement on or after December 7, 1941. Members of the Coast Guard who served while under the control of the Navy are also eligible for this award. The Combat Action Ribbon may also be awarded to individuals who faced direct exposure to the detonation of an improvised explosive device and personnel who serve in clandestine or special operations. The Secretary of the Navy determines which operations meet the criteria for this award. However, an individual may only be awarded one award per operation.⁹

³ Section 320.089(1)(c) and (2)(a), F.S.

⁴ Section 320.089(1)(b), F.S.

⁵ Florida Department of Veterans' Affairs, Agency Legislative Bill Analysis: SB 112 (December 18, 2014).

⁶ Special use license plates issued to current or former Army personnel to recognize combat service include the Combat Infantry Badge plate, Combat Medical Badge plate, and the Combat Action Badge plate.

⁷ Pub. L. No. 446 (1926).

⁸ See U.S. Department of Defense, *Manual of Military Decorations and Awards: DoD-Wide Performance and Valor Awards*, No. 1348.33, vol. 3, November 23, 2010, incorporating Change 2, March 13, 2015.

⁹ Department of the Navy, *Navy and Marine Corps Awards Manual*, SECNAVINST 1650.1H (August 22, 2006). United States Marine Corps, *Revised Eligibility Criteria for Award of the Combat Action Ribbon (Car) and Updated Coordinating Instructions*, MARADMINS Active Number 038/13 (January 17, 2013).

Air Force Combat Action Medal

Created on March 15, 2007, the Air Force Combat Action Medal recognizes members of the Air Force who actively participated in ground or air combat on or after September 11, 2001.

Nomination for the award is restricted to military members who:

- Deliberately go into the enemy's domain to conduct official duties, either on the ground or in the air, and have come under enemy fire by lethal weapons and are at risk of grave danger; or
- While defending the base, have come under fire and engage the enemy with direct and lethal fire and are at the risk of grave danger.

Members from other branches of the United States Armed Forces are also eligible for the award provided they served with a U.S. Air Force unit and meet the award criteria. Subsequent operations that qualify for the award are recognized on the medal through the use of a gold star device rather than issuing a second medal.¹⁰

III. Effect of Proposed Changes:

The bill amends s. 320.089, F.S., to create six special use military license plates for:

- Recipients of the Combat Action Ribbon;
- Recipients of the Air Force Combat Action Medal;
- Recipients of the Distinguished Flying Cross;
- Women veterans;
- WWII veterans; and
- Navy Submariners.

The plates will be stamped with the words "Combat Action Ribbon," "Air Force Combat Action Medal," "Distinguished Flying Cross," "Woman Veteran," "WWII Veteran," or "Navy Submariner," as appropriate, with an image of the related campaign medal or badge.

Applicants for the new special use license plates are required to pay the annual license tax in s. 320.08, F.S. Revenue generated from the sale of these license plates, with the exception of the "Woman Veteran" plate, will be administered in the same manner as the existing special use license plates in s. 320.089, F.S., and deposited into the Grants and Donations Trust Fund and the State Homes for Veterans Trust Fund. Revenue generated from the "Woman Veteran" special license plate will be deposited into the Operations and Maintenance Trust Fund administered by the Department of Veterans' Affairs for the purpose of creating and implementing programs benefitting women veterans.

The bill takes effect July 1, 2015.

¹⁰ Department of the Air Force, *Air Force Guidance Memorandum for Air Force Instruction (AFI) 36-2803, The Air Force Military Awards and Decorations Program*, 5.3.1, AFI36-2803_AFGM2015-02 (February 26, 2015).

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:

The bill creates special use license plates that are available for a new group of registrants. The cost for an eligible individual to purchase a plate generally ranges from \$45-\$75.¹¹

C. Government Sector Impact:

According to the Department of Highway Safety and Motor Vehicles, the initial startup cost for the creation and manufacture of these six new special use license plates will be \$12,690. The bill will also require programming revisions for the department's Florida Real Time Vehicle Information System that will cost \$31,360.¹² The department has indicated that these costs can be absorbed within existing resources.¹³

Additionally, the bill could have a positive impact on the Grants and Donations Trust Fund, the State Homes for Veteran's Trust Fund, and the Operations and Maintenance Trust Fund with the sale of the six new special use license plates.

VI. Technical Deficiencies:

None.

¹¹ E-mail correspondence with the Department of Highway Safety and Motor Vehicles on January 16, 2015 (on file with the Senate Military and Veterans Affairs, Space, and Domestic Security Committee).

¹² Department of Highway Safety and Motor Vehicles, *2015 Agency Legislative Bill Analysis: CS/CS/SB 112* (March 25, 2015).

¹³ Conversation between staff of the Department of Highway Safety and Motor Vehicles and the Senate Appropriations Subcommittee on Transportation, Tourism and Economic Development on April 6, 2015.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 320.089 of the Florida Statutes.

IX. Additional Information:

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

CS/CS by Transportation on March 19, 2015:

The CS adds three additional military special license plates for:

- Women veterans;
- WWII veterans; and
- Navy Submariners

CS by Military and Veterans Affairs, Space, and Domestic Security on January 21, 2015:

The committee substitute creates two new special use license plates to recognize recipients of the Combat Action Ribbon and the Air Force Combat Action Badge.

- B. **Amendments:**

None.