

## HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

**BILL #:** CS/HB 249 Specialty License Plates  
**SPONSOR(S):** Commerce Committee, Tant and others  
**TIED BILLS:** IDEN./SIM. BILLS: CS/CS/SB 676

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**FINAL HOUSE FLOOR ACTION:** 115 Y's 2 N's      **GOVERNOR'S ACTION:** Approved

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### SUMMARY ANALYSIS

CS/HB 249 passed the House on April 28, 2021, as CS/CS/SB 676, as amended. The Senate concurred in the House amendment to the Senate bill and passed the bill as amended on April 29, 2021. The bill also contains CS/HB 451, HB 501, HB 599, SB 860, SB 940, and SB 958, SB 1168, and SB 1200.

Approximately 120 specialty license plates are available to any owner or lessee of a motor vehicle who is willing to pay the additional annual use fee for such plate. The collected fees are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to statutorily designated organizations in support of a particular cause or charity. Prior to production of a specialty license plate, the law requires the sale of at least 3,000 presale vouchers. The lowest selling plates are subject to discontinuance. The law also provides for a standard specialty license plate for independent colleges and universities located in Florida.

The bill creates the following specialty license plates, each with an annual use fee of \$25: Florida State Parks, Honor Flight, Biscayne Bay, Disease Prevention & Early Detection, Protect Marine Wildlife, 30A.com/Scenic Walton, and Support Healthcare Heroes. Each plate must bear colors and designs approved by DHSMV, with "Florida" appearing at the top of the plate and the plate-related slogan appearing at the bottom of the plate. The annual use fees are distributed as provided in the provisions related to each specialty license plate.

The bill revises the distribution of annual use fees from the Indian River Lagoon, Wildlife Foundation, and Divine Nine specialty license plates.

The bill authorizes a purchaser of a presale voucher for a specialty license plate to obtain a refund if the plate has met the presale requirement but has not been issued. It also clarifies that the department may not issue a new specialty license plate until a sufficient number are discontinued so that the number of available plates does not exceed the statutory maximum of 150 active specialty license plates. The bill also provides that if an independent college or university elects to use the standard template license plate, the department must discontinue its existing specialty license plate.

The bill also revises the applicability of the former Senate President and former House Speaker license plates and creates the Army of Occupation Veterans special license plate.

The bill will have an insignificant negative impact to state expenditures associated with DHSMV's programming costs associated with the creation of the specialty and special license plates. These costs can be absorbed within existing resources.

The bill was approved by the Governor on June 29, 2021, ch. 2021-177, L.O.F., and will become effective on October 1, 2021.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### General Provisions Governing Specialty License Plates

##### *Current Situation*

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are approximately 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.<sup>1</sup> Current law provides that if the Legislature<sup>2</sup> has approved 150 or more specialty license plates, the Department of Highway Safety and Motor Vehicles (DHSMV) may not make any new specialty license plate available for design or issuance until a sufficient number of plates are discontinued<sup>3</sup> so that the number of plates being issued does not exceed 150.<sup>4</sup>

Section 320.08053, F.S., provides the statutory requirements to establish a specialty license plate. If a specialty license plate requested by an organization is approved by law, the organization submits its proposed art design to DHSMV as soon as practicable, but no later than 60 days after the act approving the plate becomes a law.<sup>5</sup>

Within 120 days after the act approving the specialty license plate becomes law, DHSMV must establish a method to issue a voucher allowing for the presale of the plate. A \$5 processing fee,<sup>6</sup> a service charge and branch fee,<sup>7</sup> and an annual use fee for the specialty license plate are charged for the voucher. All other applicable fees are charged at the time the license plate is issued.<sup>8</sup>

Within 24 months after establishing a presale specialty license plate voucher, the approved specialty license plate organization must record with DHSMV a minimum of 3,000 voucher sales<sup>9</sup> before the license plate may be manufactured. If, at the conclusion of the 24-month presale period, the minimum sales requirement is not met, the specialty license plate is deauthorized and DHSMV discontinues the plate's development and the issuance of the presale vouchers. Upon deauthorization of the specialty license plate, a purchaser of the specialty license plate voucher may use the annual use fee collected as a credit towards any other specialty license plate or apply to DHSMV for a refund.<sup>10</sup>

New specialty license plates that have been approved by law, but are awaiting issuance, will be issued in the order they appear in s. 320.08058, F.S.,<sup>11</sup> if all statutory requirements, including the presale requirement, have been met. If the next awaiting specialty license plate has not met its presale requirement, DHSMV proceeds in the order provided in s. 320.08058, F.S., to identify the next qualified specialty license plate that has met the presale requirement. DHSMV must cycle through the list in statutory order.<sup>12</sup>

If the Legislature has approved 150 or more specialty license plates, DHSMV may not make any new specialty license plates available for design or issuance until a sufficient number of plates are

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<sup>1</sup> Section 320.08056(3)(d), F.S., provides that except if specifically provided in s. 320.08056(4), the annual use fee for a specialty license plate is \$25.

<sup>2</sup> Creation of a specialty license plate requires an act of the Legislature.

<sup>3</sup> Specialty license plates are discontinued pursuant to s. 320.08056(8), F.S.

<sup>4</sup> S. 320.08053(3)(b), F.S.

<sup>5</sup> S. 320.08053(1), F.S.

<sup>6</sup> The processing fee is prescribed in s. 320.08056, F.S.

<sup>7</sup> Service charges and branch fees are prescribed in s. 320.04, F.S.

<sup>8</sup> S. 320.08053(2)(a), F.S.

<sup>9</sup> In the case of out-of-state college or university license plate, the license plate must register 4,000 voucher sales.

<sup>10</sup> S. 320.08053(2)(b), F.S.

<sup>11</sup> S. 320.08058, F.S., creates each specialty license plate.

<sup>12</sup> S. 320.08053(3)(a), F.S.

discontinued<sup>13</sup> so that the number of plates being issued is fewer than 150. The 150-license-plate limit applies to all specialty license plates, including those above the minimum sales threshold and those exempt from the minimum sales threshold.<sup>14</sup>

DHSMV is responsible for developing authorized specialty license plates.<sup>15</sup> DHSMV must issue a specialty license plate to the owner or lessee of any motor vehicle, except a vehicle registered under the International Registration Plan, a commercial truck required to display two license plates, or a truck tractor, upon request and payment of the appropriate license tax and fees.<sup>16</sup> Specific specialty license plates are authorized for dealer and fleet vehicles.<sup>17</sup> A specialty license plate for motorcycles is addressed separately in s. 320.08068, F.S.

Each request for a specialty license plate must be made annually to DHSMV or its authorized agent<sup>18</sup> accompanied by the following tax and fees: the vehicle's required license tax,<sup>19</sup> a processing fee of \$5,<sup>20</sup> a license plate fee,<sup>21</sup> and a license plate annual use fee as required for the specialty license plate.<sup>22</sup>

### *Effect of the Bill*

The bill clarifies provisions that authorize refunds of specialty license plate vouchers if a plate has met the presale requirements, but has not been issued. The bill also clarifies that DHSMV may not issue, instead of make available for design or issuance, any new specialty license plates until the number of plates being issued does not exceed 150.

## **Existing Specialty License Plates**

### Indian River Lagoon License Plate

#### *Current Situation*

The Indian River Lagoon (IRL) was formally established as an Estuary of National Significance and joined the National Estuary Program in 1991 under the sponsorship of the St. Johns and South Florida Water Management Districts. The IRL National Estuary Program is part of a national network of 28 estuary programs established under the Federal Clean Water Act and administered nationally by the United States Environmental Protection Agency.<sup>23</sup>

Section 320.08058(10), F.S., establishes the Florida Indian River Lagoon license plate with an annual use fee of \$15.<sup>24</sup> These annual use fees are distributed as follows:

- The first \$5 million collected annually must be transferred to the St. Johns River Water Management District. The district must account for these funds separately from all other funds received. These funds are distributed as follows:
  - Based on Florida Indian River Lagoon license plate sales data from Volusia, Brevard, Indian River, St. Lucie, Martin, and Palm Beach Counties, in proportion to the total number of plates sold. The percentage determined for St. Lucie, Martin, and Palm Beach Counties is totaled, and that total percentage of the statewide license plate

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<sup>13</sup> Specialty license plates will be discontinued pursuant to s. 320.08056(8), F.S.

<sup>14</sup> S. 320.08053(3)(b), F.S.

<sup>15</sup> S. 320.08056(1), F.S.

<sup>16</sup> S. 320.08056(2), F.S.

<sup>17</sup> See ss. 320.06(3)(a), 320.0657(2)(a), 320.08(12) and 320.08056(2)(b) and (c), F.S.

<sup>18</sup> DHSMV's authorized agents are the county tax collectors.

<sup>19</sup> Motor vehicle license taxes are set forth in s. 320.08, F.S.

<sup>20</sup> The \$5 processing fee is deposited into the Highway Safety Operating Trust Fund.

<sup>21</sup> Section 320.06(1)(b), F.S., provides for a \$2.80 annual license plate replacement fee.

<sup>22</sup> S. 320.08056(3), F.S.

<sup>23</sup> One Lagoon, *The Indian River Lagoon NEP*, <https://onelagoon.org/irlnep/> (last visited Apr. 28, 2021).

<sup>24</sup> S. 320.08056(4)(f), F.S.

revenue is transferred to the South Florida Water Management District special Indian River Lagoon License Plate Revenue Account and distributed proportionately among St. Lucie, Martin, and Palm Beach Counties. The remaining proceeds are divided proportionately between Volusia, Brevard, and Indian River Counties.

- Each water management district is responsible for administering projects in its respective counties funded with the appropriate percentage of license plate revenues.
- Up to 5 percent of the proceeds may be used for continuing promotion and marketing of the license plate.
- Any additional proceeds must be deposited into the General Revenue Fund. Fees may not be deposited into the general revenue funds of the water management districts.<sup>25</sup>

The application of these annual use fees is administered by the St. Johns River and South Florida Water Management Districts for IRL projects with the following restrictions:

- An annual amount of the total license plate use fees must be earmarked for each of the six lagoon basin counties to be expended in those counties on habitat restoration, including water quality improvement, and environmental education projects. At least 80 percent of the use fees must be used for restoration projects, and up to 20 percent may be used for environmental education in each county. These project funds may serve as matching funds for other local, state, or federal funds or grants. Unencumbered funds from one year may be carried over to the following year but must be dedicated to a project within two years in the form of a contract, an interlocal agreement, or an approved plan by the governing board of the respective district.
- Annual use fees may not be used for administrative salaries or overhead within the water management districts; any general coordination fees or overhead outside of the districts which is not specifically related to a project; any projects which are considered to be research, studies, inventories, or evaluations; or administrative salaries or overhead related to environmental education or ongoing regular maintenance. Annual use fees may be used for acquisition of rights-of-way specific to the implementation of restoration or improvement projects, if acquisition expenditures do not exceed 20 percent of a county's appropriation.
- In Volusia County, project implementation may occur in all estuarine waters extending north to and including the Tomoka Basin.
- In Palm Beach County, first priority must be given to projects within the IRL. Second priority must be given to projects within adjacent estuarine waters.<sup>26</sup>

The law provides that the Legislature intends that revenues generated by the Florida Indian River Lagoon license plate annual use fees may not be used to replace funds for Surface Water Improvement and Management Act funds, but must be used solely for the enhancement of the IRL area.<sup>27</sup>

The IRL Council was established in February 2015 as a special district of Florida. The IRL Council includes representatives of five counties bordering the lagoon (Volusia, Brevard, St. Lucie, and Martin counties and the Indian River County Lagoon Coalition), the St. Johns River and South Florida Water Management Districts, and the Department of Environmental Protection.<sup>28</sup>

#### *Effect of the Bill*

The bill redirects the distribution of the first \$5 million collected each year from the sale of the Florida Indian River Lagoon license plate to the IRL Council, instead of the St. Johns River Water Management District. The bill provides that the Legislature intends for the license plate to provide a continuous source of funding in the area due to:

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<sup>25</sup> S. 320.08058(10)(b), F.S.

<sup>26</sup> S. 320.08058(10)(c), F.S.

<sup>27</sup> S. 320.08058(10)(d), F.S.

<sup>28</sup> *Id.*

- The creation of the IRL Council and subsequent adoption of a comprehensive conservation and management plan in 2019 developed by the council and local, state, and federal partners;
- The St. Johns Water River Management District's continued support of competitive cost-share projects in counties administered by the council; and
- The legislative support of the restoration efforts of the IRL National Estuary Program and its partners.

The IRL Council is responsible for accounting for the transfer and distribution of proceeds from the sale of the plate. The bill directs the IRL Council to administer projects in Volusia, Brevard, and Indian River Counties from funds derived from the appropriate percentage of license plate revenues and for the South Florida Water Management District to administer projects in St. Lucie, Martin, and Palm Beach Counties. The bill expands the authorized use of the funds to include monitoring projects.

Specific to counties, the bill provides that:

- In Volusia County, project implementation may occur in all estuarine waters extending north to and including the IRL National Estuary Program's Indian River Lagoon-Halifax River planning boundary amendments that include the Tomoka Basin.
- In Palm Beach County, projects within estuarine waters adjacent to the IRL, *including* the Loxahatchee River and other tributaries to the IRL are given second priority for funding.

The bill provides that it is the intent of the Legislature that proceeds from the sale of the plate not be used as replacement funds for other available funding sources. The proceeds of the plate must be used solely for the enhancement of the lagoon and tributaries in the IRL watershed, as defined by the IRL National Estuary Program project boundary defined in the IRL Comprehensive Conservation and Management Plan or as provided in the bill.

#### Wildlife Foundation of Florida License Plate

##### *Current Situation*

Section 320.08058(46), F.S., establishes the Wildlife Foundation of Florida license plate with an annual use fee of \$25. The revenues from the sales of the license plate are distributed to the Wildlife Foundation of Florida, Inc.,<sup>29</sup> to be used in the following manner:

- Seventy-five percent must be used to fund programs and projects within the state that preserve open space and wildlife habitat, promote conservation, improve wildlife habitat, and establish open space for the perpetual use of the public.
- Twenty-five percent may be used for promotion, marketing, and administrative costs directly associated with operation of the foundation.

The Fish & Wildlife Foundation of Florida, Inc., a nonprofit 501(c)(3) organization, serves as the citizen support organization for the Fish and Wildlife Conservation Commission (FWCC). It was formed in 1994 "to support the health and well-being of Florida's fish and wildlife resources and their habitats." The foundation works with a variety of other public and private organizations to achieve science-based conservation, research, education, and outdoor recreation goals. The foundation awards grants that focus on "providing outdoor education and recreational opportunities for youth, combatting invasive species like lionfish, improving management of wildlife habitats and fisheries, protecting Florida's freshwater springs, and improving public access to hunting, fishing, and boating resources."<sup>30</sup>

##### *Effect of the Bill*

<sup>29</sup> The actual name of the organization receiving the funds is the Fish & Wildlife Foundation of Florida.

<sup>30</sup> Fish & Wildlife Foundation of Florida, *About Us*, <https://wildlifeflorida.org/our-mission/> (last visited Apr. 28, 2021). See also s. 379.223, F.S.

The bill provides that revenues from the sale of the Wildlife Foundation of Florida license plates are distributed to the Fish & Wildlife Foundation of Florida, Inc., which reflects the correct name of the organization. The bill expands the authorized uses of the proceeds from the sale of the plate to include funding programs and projects that promote hunting and shooting sports. Unencumbered funds from one year may be carried over to the following year but must be spent within two years of receipt or dedicated to a project within two years of receipt in the form of a contract, a grant award, or an approved plan by the governing board of the Fish & Wildlife Foundation of Florida, Inc.

## Divine Nine License Plates

### *Current Situation*

The nine historically Black Greek letter organizations that make up the National Pan-Hellenic Council are collectively known as “The Divine Nine.” The Divine Nine consists of: Alpha Phi Alpha Fraternity, Alpha Kappa Alpha Sorority, Kappa Alpha Psi Fraternity, Omega Psi Phi Fraternity, Delta Sigma Theta Sorority, Phi Beta Sigma Fraternity, Zeta Phi Beta Sorority, Sigma Gamma Rho Sorority, and Iota Phi Theta Fraternity.<sup>31</sup>

Section 320.08058(101), F.S., establishes a Divine Nine license plate using a standard template and a unique logo, graphic, or color for each of the organizations in the Divine Nine with an annual use fee of \$25.

The annual use fees from the Divine Nine license plates are distributed as follows:

- Five percent of the proceeds go to the United Negro College Fund, Inc., for college scholarships for Florida residents attending Florida’s historically black colleges and universities.
- The remaining 95 percent of the proceeds are distributed to one of the charitable foundations of the participating fraternities or sororities as selected by the purchaser of the plate. Each of those organizations must use 10 percent for marketing the plate.<sup>32</sup>

The total sales of all the Divine Nine license plates are combined for the purpose of meeting the 3,000 minimum sales threshold and count as one license plate for determining the 150 specialty license plate limit.

Current law requires, effective July 1, 2023, that DHSMV discontinue the issuance of license plate registrations that fall below 3,000 plates.<sup>33</sup> The statute provides some exceptions, including one for license plates with eligibility limitations for purchase.<sup>34</sup>

The Association to Preserve African American Society, History, and Tradition was created to collect, preserve, and exhibit historical artifacts and information which illustrate the meaningful role African Americans have played in Florida and more specifically, in the Orlando area. The association operates the Wells’ Built Museum in Orlando and “is dedicated to collecting and exhibiting memorabilia which commemorate the achievements of African Americans educators, athletes, musicians, and religious, civic, and cultural leaders.”<sup>35</sup>

### *Effect of the Bill*

The bill transfers proceeds used to market Divine Nine license plates from the individual Divine Nine charities to the Association to Preserve African American Society, History, and Tradition.

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<sup>31</sup> Blackgreek.com, *The Divine Nine and the National Pan-Hellenic Council*, <http://www.blackgreek.com/divinenine/> (last visited Apr. 27, 2021).

<sup>32</sup> S. 320.08058(101)(b), F.S.

<sup>33</sup> The statute provides 4,000 for out of state colleges or universities.

<sup>34</sup> See s. 320.08056, F.S., note 1 amending s. 320.08056(8)(a), F.S., effective July, 1, 2023. S. 7, ch. 2020-181, Laws of Fla.

<sup>35</sup> GuideStar, *Association to Preserve African American Society, History and Tradition, Inc.*, <https://www.guidestar.org/profile/59-3205047> (last visited Apr. 22, 2021).

The bill also limits eligibility for issuance of a Divine Nine license plate to a person who is a Florida resident, the registered owner of a motor vehicle, and a member of the applicable organization. The person must present proof of membership in the organization, which may be established by:

- A card distributed by the organization indicating the person's membership in the organization; or
- A written letter on the organization's letterhead which is signed by the organization's national president or his or her designated official and which states that the person was inducted into the organization.

Proof of membership in an eligible organization is required only for initial issuance of a Divine Nine license plate. A person is not required to present proof for renewal of the license plate.

In addition, a Divine Nine license plate:

- May be personalized; and
- May not be transferred between vehicle owners.

The bill exempts the Divine Nine license plates from a requirement, effective July 1, 2023, that DSHMV must discontinue the issuance of approved specialty license plates that sales fall below 3,000 plates, since the plate now has statutory eligibility requirements for purchase.

### Independent Colleges and University License Plates

#### *Current Situation*

In 2020, the Legislature required DHSMV, in cooperation with Florida's independent colleges and universities, to create a standard template specialty license plate with a unique logo or graphic identifying each independent college or university. Each independent college or university may elect to use this standard template specialty license plate in lieu of its own specialty license plate. Annual use fees from the sale of these license plates are distributed to the independent college or university for which the logo or graphic is displayed and must be used in the same manner as the fees for other collegiate license plates.<sup>36</sup> Independent colleges and universities opting to use the standard template specialty license plate will have their plate sales combined for purposes of meeting the 3,000 plate minimum sales threshold and determining the 150 plate limit. Standard independent college and university license plates must be ordered directly from DHSMV.<sup>37</sup> However, the law is silent as to what happens to an independent college or university's existing collegiate license plate once the college or university elects to use the standard independent college and university license plate.

#### *Effect of the Bill*

The bill provides that if an independent college or university elects to use the standard template license plate, DHSMV must discontinue the existing independent college or university's specialty license plate.

### **New Specialty License Plates**

#### Florida State Parks License Plate

#### *Current Situation*

Founded in 1993, the Florida State Parks Foundation, Inc., supports the Florida State Park system through programs that preserve and protect state parks, educate visitors about the value of state parks, encourage community engagement and active use of state parks, and provide financial support to

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<sup>36</sup> See s. 320.08058(3), F.S.

<sup>37</sup> Section 320.08056(12), F.S.

supplement state funding. The foundation is a non-profit Florida corporation under s. 501(c)(3) of the Internal Revenue Code.<sup>38</sup>

### *Effect of the Bill*

The bill creates the Florida State Parks license plate, with an annual use fee of \$25.<sup>39</sup> The plate must bear DHSMV-approved colors and designs, with “Florida” appearing at the top of the plate and “Explore Our State Parks” appearing at the bottom of the plate.

The annual use fees from the sale of the plate are distributed to the Florida State Parks Foundation, Inc. Up to 10 percent of the fees from the sale of the plate may be used for marketing the plate and costs directly associated with the administration of the Florida State Parks Foundation.

### Honor Flight License Plate

#### *Current Situation*

Honor Flight’s mission is to transport America’s veterans to Washington, D.C., to visit the memorials dedicated to honoring those who have served and sacrificed for our country. It is a national network of independent hubs working together to further Honor Flight’s mission. The network currently serves veterans from World War II, the Korean War, and the Vietnam War, as well as terminally ill veterans who served during any era.<sup>40</sup> Florida’s Honor Flight Network hubs are non-profit corporations under s. 501(c)(3) of the Internal Revenue Code. Honor Flight Hubs in Florida include Collier-Lee, First Coast, Central Florida, West Central Florida, South Florida, Tallahassee, Southeast Florida, Southwest Florida, Space Coast, and Villages.<sup>41</sup>

#### *Effect of the Bill*

The bill creates the Honor Flight license plate, with an annual use fee of \$25. The plate must bear DHSMV-approved colors and designs, with “Florida” appearing at the top of the plate and “Honor Flight” appearing at the bottom of the plate.

The annual use fees from the sale of the plate are distributed equally among Florida’s Honor Flight Network Hubs. Up to 10 percent of the fees from the sale of the plate may be used for marketing the plate and costs directly associated promoting and marketing the license plate. The remaining fees must be used to further Honor Flight.

The bill also authorizes fees collected from the sale of the Honor Flight license plate to be spent outside of the State of Florida.

### Biscayne Bay License Plate

#### *Current Situation*

Established in 1967, The Miami Foundation (foundation) is focused on building a stronger Miami and has invested more than \$400 million into the community. The foundation has partnered with individuals, families, and corporations who have created more than 1,000 personalized, philanthropic funds, and it has awarded \$350 million in grants.<sup>42</sup> The foundation is registered as a not-for-profit corporation with the Department of State.

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<sup>38</sup> Florida State Parks Foundation Website, <https://floridastateparksfoundation.org/About-Us1> (last visited Jan. 14, 2021).

<sup>39</sup> The \$25 annual use fee is provided for in existing s. 320.08056(3)(d), F.S.

<sup>40</sup> Honor Flight, <https://www.honorflight.org/about-us.html> (last visited Feb. 2, 2021).

<sup>41</sup> Honor Flight, <https://www.honorflight.org/regional-honor-flight-hubs.html#florida> (last visited Mar. 5, 2021).

<sup>42</sup> The Miami Foundation Website, <https://miamifoundation.org/about> (last visited Feb. 3, 2021).



Biscayne Bay is the largest estuary on the coast of southeast Florida and is contiguous with the southern Florida Everglades and Florida Bay.<sup>43</sup>

#### *Effect of the Bill*

The bill creates the Biscayne Bay specialty license plate, with an annual use fee of \$25. The plate must bear DHSMV-approved colors and designs, with “Florida” appearing at the top of the plate and “Protect Biscayne Bay” appearing at the bottom of the plate.

The annual use fees from the sale of the plate are distributed to The Miami Foundation to be used as follows:

- Up to 10 percent of the fees may be used for promotion and marketing the license plate and for direct reimbursement for administrative costs, startup costs, and costs incurred in the development and approval process of the license plate. All vendors associated with administrative costs must be selected by competitive bid.
- The remaining fees must be used to raise awareness and support the mission and efforts of conserving Biscayne Bay. The Miami Foundation’s Board of Trustees must approve and is accountable for all such expenditures.

#### Disease Prevention & Early Detection License Plate

##### *Current Situation*

Established in 2005 with the goal of providing at-risk women access to early detection and proper treatment for breast cancer, Women’s Breast & Heart Initiative (WBHI) created a door-to-door neighborhood outreach program that increases awareness of breast health and the importance of early detection, as well as provides access to mammograms for women who are uninsured and underserved. In 2013, WBHI incorporated education and awareness of heart disease – the leading cause of death in women – into its grassroots campaigns.<sup>44</sup> The Woman’s Breast & Heart Initiative, Florida Affiliate, Inc., is registered as a not-for-profit corporation with the Department of State.

#### *Effect of the Bill*

The bill creates the Disease Prevention & Early Detection specialty license plate, with an annual use fee of \$25. The plate must bear DHSMV-approved colors and designs, with “Florida” appearing at the top of the plate and “Disease Prevention & Detection” appearing at the bottom of the plate.

The annual use fees from the sale of the plate are distributed to The Women’s Breast and Heart Initiative, Florida Affiliate, Inc., which may use up to 10 percent of the proceeds to promote and market the plate. The remainder of the proceeds must be used by The Women’s Breast & Heart Initiative, Florida Affiliate, Inc., to provide increased education and awareness relating to early detection, prevention, and screening of breast and heart issues.

#### Protect Marine Wildlife License Plate

##### *Current Situation*

The Protect Wild Dolphins Alliance, Inc., is a not-for-profit 501(c)3 organization supporting and research, scientific, and educational activities for the protection and preservation of marine mammals. These programs include release to the wild programs, the rescue, rehabilitation, release or retirement

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<sup>43</sup> Discover Biscayne Bay Website: <http://www.discoverbiscaynebay.org/> (last visited Feb. 3, 2021).

<sup>44</sup> The Women’s Breast & Heart Initiative, *Our Story*: <https://flbreasthealth.com/about-us/> (Last visited Feb. 2, 2021).

of marine mammals as well as the establishment and operation of a safe haven for unwanted or surplus dolphins and other marine mammals.<sup>45</sup>

#### *Effect of the Bill*

The bill creates a Protect Marine Wildlife license plate with an annual use fee of \$25. The plate must bear DHSMV-approved colors and designs, with "Florida" appearing at the top of the plate, and "Protect Marine Wildlife" appearing at the bottom of the plate.

The annual use fees from the sale of the plate are distributed to the Protect Wild Dolphins Alliance, Inc., which may use up to 10 percent of the proceeds for administration, promotion, and marketing of the plate. All remaining proceeds must be used by the Protect Wild Dolphins Alliance, Inc., to fund its conservation, research, and educational programs that focus on the conservation of Florida's threatened and protected marine wildlife species.

#### 30A.com/Scenic Walton License Plate

#### *Current Situation*

Created in 2008, Scenic Walton, Inc., is a chapter of Scenic America. The organization works to preserve Walton County's scenic beauty by improving landscaping along commercial corridors, working towards underground utilities, promoting pedestrian and cycling paths, removing litter, and controlling billboards and signage.<sup>46</sup>

#### *Effect of the Bill*

The bill creates the 30A.com/Scenic Walton license plate with an annual use fee of \$25. The plate must bear the DHSMV-approved colors and design, with "Florida" appearing at the top of the plate and "Support Scenic Walton" appearing at the bottom of the plate.

The annual use fees are distributed to Scenic Walton, Inc., which may use up to 10 percent for administrative costs and to market the plate. The remainder of the proceeds must be used to preserve and enhance the beauty and safety of Walton County.

#### Support Health Care Heroes License Plate

#### *Current Situation*

Under current law, funds deposited into the Emergency Medical Services Trust Fund must be used solely to improve and expand prehospital emergency medical services in the state. The Department of Health (DOH) must annually distribute funds contained in the Emergency Medical Services Trust Fund as follows:

- Forty-five percent must be divided among the counties according to the proportion of the combined amount deposited in the trust fund from the county.<sup>47</sup> An individual board of county commissioners may distribute these funds to emergency medical services organizations and youth athletic organizations within the county;
- Forty percent must be used by DOH for making matching grants to local agencies, municipalities, emergency medical services organizations, and youth athletic organizations for

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<sup>45</sup> Protect Wild Dolphins Alliance, <https://protectwilddolphinsalliance.com/index.html#:~:text=Protect%20Wild%20Dolphins%20Alliance%20rescues,sick%20and%20injured%20marine%20animals> (last visited Apr. 17, 2021).

<sup>46</sup> Scenic Walton, <https://www.scenic.org/chapters-affiliates/walton/> (last visited Apr. 19, 2021),

<sup>47</sup> Funds for the trust fund come from a \$5 fine from crashes involving damage to a vehicle or other property and reckless driving incidents, portions of civil penalty fines for traffic infractions imposed by county courts, and a \$25 fine for driving or boating under the influence.

the purpose of conducting research, increasing existing levels of emergency medical services, evaluation, community education, injury-prevention programs, and training in cardiopulmonary resuscitation and other lifesaving and first aid techniques; and

- Fifteen percent must be used by DOH for capital equipment outlay, personnel, community education, evaluation, and other costs associated with the administration of ch. 401, F.S., relating to medical telecommunications and transportation. Any funds not annually used for this purpose must be used for making additional rural grant funds available.<sup>48</sup>

#### *Effect of the Bill*

The bill creates the Support Healthcare Heroes license plate with an annual use fee of \$25. The license plate must bear DHSMV-approved colors and design, with “Florida” appearing at the top of the plate and “Support Healthcare Heroes” appearing at the bottom of the plate.

The annual use fees are distributed annually into the Emergency Medical Services Trust Fund within DOH to provide financial support for prehospital medical services pursuant to s. 401.113, F.S.<sup>49</sup>

### **Special License Plates**

#### Senate President/House Speaker Special License Plates

##### *Current Situation*

Upon application by any current or former President of the Senate or Speaker of the House of Representatives and payment of the required fees, DSHMV may issue a license plate stamped “Senate President” or “House Speaker” followed by the number assigned by DSHMV or chosen by the applicant if it is not already in use. However, current law limits the availability of these license plates to persons that served as President of the Senate or Speaker of the House of Representatives prior to January 1, 2021.

##### *Effect of the Bill*

The bill repeals the sunset provision for special license plates for current and former Senate Presidents and House Speakers.

#### Army of Occupation Medal License Plate

##### *Current Situation*

Currently, s. 320.089, F.S., authorizes 23 special license plates available to military service members or veterans for certain types of military service. Examples of service include veterans of the U.S. Armed Forces, World War II veterans, and woman veterans. A person must provide proof of eligibility to obtain a military special license plate.

Military special license plates are each stamped with words consistent with the type of special license plate issued. A likeness of the related campaign medal or badge appears on the plate followed by the license plate serial number.

The Army Occupation Medal was established in 1946 to recognize service members who had performed occupation service after World War II. The medal was awarded for 30 days of consecutive

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<sup>48</sup> Section 401.113, F.S.

<sup>49</sup> Section 401.113, F.S., relates to the distribution of funds deposited into the Emergency Medical Services Trust Fund.

service while the service member was assigned to Germany, Austria, Italy, Japan, and Korea during specific periods of time during 1945 to 1990.<sup>50</sup>

### *Effect of the Bill*

The bill amends s. 320.089, F.S., to create the Army of Occupation Veterans license plate. An owner or lessee of an automobile or truck for private use, a truck weighing not more than 7,999 pounds, or a recreational vehicle<sup>51</sup> which is not used for hire or commercial use can apply to the DHSMV for such a plate. The applicant must be:

- A resident of Florida.
- A current or former member of the United States military who was permanently assigned to occupation forces in specific overseas locations during the Cold War between May 9, 1945, and October 2, 1990.

The applicant must also provide proof of active membership or former active duty status during the period at one of the locations and pay the license tax for the vehicle to be issued a plate. Proof that the applicant was awarded the Army of Occupation Medal will be sufficient to establish eligibility for the license plate.

The plate will be stamped with the words "Army of Occupation" and a likeness of the Army of Occupation Medal, followed by the registration license number of the plate.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

#### 1. Revenues:

None.

#### 2. Expenditures:

DHSMV will incur programming costs associated with the creation of new specialty and special license plates. One specialty license plate with a single distribution recipient will require between 200 and 250 hours of programming at a rate of \$35 to \$40 per hour.<sup>52</sup> This programming can be done using existing DHSMV resources.

### **B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### **C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

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<sup>50</sup> United States Army Veteran Medals, *U.S. Army Service, Campaign Medals and Foreign Awards Information*, <https://veteranmedals.army.mil/awardg&d.nsf/374fbd6468877ab385256b6600590a90/48884fdf2638ab8185256b660066c86a!OpenDocument> (last visited Apr. 28, 2021).

<sup>51</sup> As provided for in s. 320.08(9)(c) or (d), F.S.

<sup>52</sup> Email from Kevin Jacobs, Legislative Affairs Director, Florida Department of Highway Safety and Motor Vehicles, RE: Specialty License Plates, (Jan. 26, 2021).

Once a new specialty license plate goes into production, the recipient organizations may see an increase in revenues associated with the sale of the license plate.

D. FISCAL COMMENTS:

DHSMV may retain revenues from the first proceeds of specialty license plate sales to defray its expenditures related to the specialty license plate program.<sup>53</sup>

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<sup>53</sup> Section 320.08056(7), F.S.