

26 card services to provide licensees and cardholders
 27 with certain printed notices about voter registration;
 28 providing for the deposit of funds collected by
 29 license plate agencies; requiring each participating
 30 tax collector to submit reports of findings and
 31 recommendations concerning the pilot project; amending
 32 ss. 212.1832, 681.117, and 1002.40, F.S.; conforming
 33 provisions to changes made by the act; providing an
 34 effective date.

35

36 Be It Enacted by the Legislature of the State of Florida:

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38 Section 1. Subsection (46) is added to section 320.01,
 39 Florida Statutes, to read:

40 320.01 Definitions, general.—As used in the Florida
 41 Statutes, except as otherwise provided, the term:

42 (46) "License plate agency" means an office appointed by
 43 the tax collector which is equipped with the department's
 44 Florida Real Time Vehicle Information System and managed by a
 45 governmental or private entity to process transactions related
 46 to motorist services on behalf of the department.

47 Section 2. Subsections (4) and (8) of section 320.03,
 48 Florida Statutes, are amended to read:

49 320.03 Registration; duties of tax collectors;
 50 International Registration Plan.—

51 (4) (a) Each tax collector or license plate agency tag
52 ~~agent who has online computer access to the department data~~
53 ~~center or other reasonable access thereto~~ shall, except when the
54 department has issued a registration renewal notice, upon
55 receipt of an application for the registration of a any motor
56 vehicle, determine from the driver file of the applicant whether
57 the applicant's driver license has been canceled, suspended, or
58 revoked and, if so, whether the applicant has surrendered his or
59 her license to the department as required by s. 322.251. If the
60 applicant has not surrendered his or her license in accordance
61 with s. 322.251 ~~the provisions of that section~~, the tax
62 collector shall refuse to register the vehicle until such time
63 as the applicant surrenders his or her driver license to the
64 department.

65 (b) The Florida Real Time Vehicle Information System shall
66 be installed in every tax collector's office and license plate
67 ~~agency tag agent's office~~ in accordance with a schedule
68 established by the department in consultation with the tax
69 collectors and contingent upon funds being made available for
70 the system by the state.

71 (c) Operational requirements for license plate agencies
72 which are established by department policies and procedures,
73 including, but not limited to, purchases of equipment, license
74 plates, and validation stickers and other costs incurred by the
75 department, shall be the same for both governmentally and

76 privately managed license plate agencies.

77 (8) If the applicant's name appears on the list referred
78 to in s. 316.1001(4), s. 316.1967(6), s. 318.15(3), or s.
79 713.78(13), a license plate or revalidation sticker may not be
80 issued until that person's name no longer appears on the list or
81 until the person presents a receipt from the governmental entity
82 or the clerk of court that provided the data showing that the
83 fines outstanding have been paid. This subsection does not apply
84 to the owner of a leased vehicle if the vehicle is registered in
85 the name of the lessee of the vehicle. The tax collector and the
86 clerk of the court are each entitled to receive monthly, as
87 costs for implementing and administering this subsection, 10
88 percent of the civil penalties and fines recovered from such
89 persons. As used in this subsection, the term "civil penalties
90 and fines" does not include a wrecker operator's lien as
91 described in s. 713.78(13). If the tax collector has private
92 license plate agencies ~~tag agents~~, such license plate agencies
93 ~~tag agents~~ are entitled to receive a pro rata share of the
94 amount paid to the tax collector, based upon the percentage of
95 license plates and revalidation stickers issued by the license
96 plate agency ~~tag agent~~ compared to the total issued within the
97 county. The authority of a ~~any~~ private license plate agent to
98 issue license plates shall be revoked, after notice and a
99 hearing as provided in chapter 120, if he or she issues a ~~any~~
100 license plate or revalidation sticker contrary to the provisions

101 of this subsection. This section applies only to the annual
102 renewal in the owner's birth month of a motor vehicle
103 registration and does not apply to the transfer of a
104 registration of a motor vehicle sold by a motor vehicle dealer
105 licensed under this chapter, except for the transfer of
106 registrations which includes the annual renewals. This section
107 does not affect the issuance of the title to a motor vehicle,
108 notwithstanding s. 319.23(8)(b).

109 Section 3. Paragraph (b) of subsection (1) of section
110 320.04, Florida Statutes, is amended to read:

111 320.04 Registration service charge.—

112 (1)

113 (b) A service charge of \$1 shall also be imposed for the
114 issuance of each license plate validation sticker, vessel decal,
115 and mobile home sticker issued from an automated vending
116 facility or printer dispenser machine. This service charge is
117 payable to the department and shall be used to provide for
118 automated vending facilities or printer dispenser machines that
119 are used to dispense such stickers and decals by each tax
120 collector's or license plate agency's ~~tag agent's~~ employee.

121 Section 4. Subsection (2) of section 320.06, Florida
122 Statutes, is amended to read:

123 320.06 Registration certificates, license plates, and
124 validation stickers generally.—

125 (2) The department shall provide the several tax

126 collectors and license plate agencies ~~agents~~ with the necessary
 127 number of validation stickers.

128 Section 5. Paragraph (b) of subsection (4) of section
 129 320.0894, Florida Statutes, is amended to read:

130 320.0894 Motor vehicle license plates to Gold Star family
 131 members.—The department shall develop a special license plate
 132 honoring the family members of servicemembers who have been
 133 killed while serving in the Armed Forces of the United States.
 134 The license plate shall be officially designated as the Gold
 135 Star license plate and shall be developed and issued as provided
 136 in this section.

137 (4)

138 (b) The applicant must provide documentation of the fact
 139 that the servicemember was killed while serving and proof of
 140 relationship to the servicemember to the tax collector or
 141 license plate agency ~~agent~~ before being issued a Gold Star
 142 license plate. The tax collector or license plate agent may
 143 waive the requirement for such documentation and proof if he or
 144 she has actual knowledge of the family relationship and that the
 145 servicemember was killed while serving.

146 Section 6. Subsection (1) of section 322.135, Florida
 147 Statutes, is amended to read:

148 322.135 Driver license agents.—

149 (1) (a) The department shall, upon application, authorize
 150 by interagency agreement any or all of the tax collectors who

151 are constitutional officers under s. 1(d), Art. VIII of the
152 State Constitution in the several counties of the state, subject
153 to the requirements of law, in accordance with rules of the
154 department, to serve as the department's ~~its~~ agent for the
155 provision of specified driver license services.

156 ~~(a)~~ These services shall be limited to the issuance of
157 driver licenses and identification cards as authorized by this
158 chapter.

159 (b)1. Effective October 1, 2021, the appointed tax
160 collector of any charter county may, at the tax collector's
161 discretion, participate in a pilot project through which the tax
162 collector contracts with one or more license plate agencies for
163 the provision of the following specified driver license
164 services:

165 a. Processing a licensee's application and collecting the
166 required fees for renewal of any driver license that is
167 currently compliant with federal REAL ID Act requirements.

168 b. Processing a licensee's application for reinstatement
169 of a suspended driver license and collecting the required fees
170 therefor, if the only condition of reinstatement is payment of
171 such fees.

172 c. Processing a licensee's or cardholder's request to
173 change his or her address and application for a replacement
174 driver license or identification card, and collecting the
175 required fees therefor, if the driver license or identification

176 card is currently compliant with federal REAL ID Act
177 requirements.

178 2. The department shall, upon application of each tax
179 collector electing to participate in the pilot project,
180 authorize the tax collector by interagency agreement, subject to
181 the requirements of law, in accordance with rules of the
182 department, to provide these services as the department's agent
183 through one or more license plate agencies.

184 3. A participating tax collector's election to contract
185 with a license plate agency under this paragraph does not
186 require the tax collector to provide all driver license services
187 authorized under paragraph (a).

188 4. This paragraph does not authorize a license plate
189 agency to issue driver licenses or identification cards or
190 possess any blank driver licenses or identification cards.

191 5. Before providing driver license services under this
192 paragraph, a covered employee of a license plate agency must be
193 fingerprinted, undergo background checks, and be subject to
194 disqualification from providing such services, to the extent
195 required by 6 C.F.R. s. 37.45.

196 6. Notwithstanding s. 97.057, information gathered under
197 this paragraph for completion of a driver license or
198 identification card renewal or change of address shall not be
199 transferred automatically to a voter registration application. A
200 license plate agency providing services under this paragraph

201 shall provide to each licensee or cardholder, in the format
 202 prescribed by the department, a printed notice with instructions
 203 on how to register to vote or update a voter registration
 204 record.

205 7. If funds to be deposited into the State Treasury are
 206 collected under this paragraph by a license plate agency, the
 207 funds shall be paid into the State Treasury within the period
 208 specified in subsection (6) calculated from the date the funds
 209 are collected by the license plate agency.

210 8. Each participating tax collector shall review
 211 implementation of the pilot project and the provision of the
 212 specified driver license services by license plate agencies in
 213 the respective county. The tax collector shall submit a
 214 preliminary report of its findings and recommendations to the
 215 department, and the department shall return comments to the tax
 216 collector. By December 31, 2025, the tax collector shall submit
 217 a final report, together with the department's comments, to the
 218 Governor and Cabinet, the President of the Senate, and the
 219 Speaker of the House of Representatives.

220 (c)~~(b)~~ Each tax collector who is authorized by the
 221 department to provide driver license services shall bear all
 222 costs associated with providing those services.

223 (d)~~(e)~~ A service fee of \$6.25 must be charged, in addition
 224 to the fees set forth in this chapter, for providing all

225 | services pursuant to this chapter. The service fee may not be
 226 | charged:

227 | 1. More than once per customer during a single visit to a
 228 | tax collector's office.

229 | 2. For a reexamination requested by the Medical Advisory
 230 | Board or required pursuant to s. 322.221.

231 | 3. For a voter registration transaction.

232 | 4. In violation of any federal or state law.

233 | 5. To a veteran receiving any service pursuant to this
 234 | chapter, upon presentation of a copy of the veteran's:

235 | a. DD Form 214, issued by the United States Department of
 236 | Defense;

237 | b. Veteran health identification card, issued by the
 238 | United States Department of Veterans Affairs;

239 | c. Veteran identification card, issued by the United
 240 | States Department of Veterans Affairs pursuant to the Veterans
 241 | Identification Card Act of 2015, Pub. L. No. 114-31; or

242 | d. Other acceptable form specified by the Department of
 243 | Veterans' Affairs.

244 | Section 7. Subsection (1) of section 212.1832, Florida
 245 | Statutes, is amended to read:

246 | 212.1832 Credit for contributions to eligible nonprofit
 247 | scholarship-funding organizations.—

248 | (1) The purchaser of a motor vehicle shall be granted a
 249 | credit of 100 percent of an eligible contribution made to an

250 eligible nonprofit scholarship-funding organization under s.
251 1002.40 against any tax imposed by the state under this chapter
252 and collected from the purchaser by a dealer, designated agent,
253 or private license plate agency ~~tag agent~~ as a result of the
254 purchase or acquisition of a motor vehicle, except that a credit
255 may not exceed the tax that would otherwise be collected from
256 the purchaser by a dealer, designated agent, or private license
257 plate agency ~~tag agent~~. For purposes of this subsection, the
258 term "purchase" does not include the lease or rental of a motor
259 vehicle.

260 Section 8. Subsection (1) of section 681.117, Florida
261 Statutes, is amended to read:

262 681.117 Fee.—

263 (1) A \$2 fee shall be collected by a motor vehicle dealer,
264 or by a person engaged in the business of leasing motor
265 vehicles, from the consumer at the consummation of the sale of a
266 motor vehicle or at the time of entry into a lease agreement for
267 a motor vehicle. Such fees shall be remitted to the county tax
268 collector or private license plate ~~tag~~ agency acting as agent
269 for the Department of Revenue. If the purchaser or lessee
270 removes the motor vehicle from the state for titling and
271 registration outside this state, the fee shall be remitted to
272 the Department of Revenue. All fees, less the cost of
273 administration, shall be transferred monthly to the department
274 for deposit into the Motor Vehicle Warranty Trust Fund.

275 Section 9. Paragraphs (a), (b), (c), and (g) of subsection
 276 (13) of section 1002.40, Florida Statutes, are amended to read:
 277 1002.40 The Hope Scholarship Program.—
 278 (13) SCHOLARSHIP FUNDING TAX CREDITS.—
 279 (a) A tax credit is available under s. 212.1832(1) for use
 280 by a person that makes an eligible contribution. Eligible
 281 contributions shall be used to fund scholarships under this
 282 section and may be used to fund scholarships under s. 1002.395.
 283 Each eligible contribution is limited to a single payment of
 284 \$105 per motor vehicle purchased at the time of purchase of a
 285 motor vehicle or a single payment of \$105 per motor vehicle
 286 purchased at the time of registration of a motor vehicle that
 287 was not purchased from a dealer, except that a contribution may
 288 not exceed the state tax imposed under chapter 212 that would
 289 otherwise be collected from the purchaser by a dealer,
 290 designated agent, or private license plate agency ~~tag agent~~.
 291 Payments of contributions shall be made to a dealer at the time
 292 of purchase of a motor vehicle or to a designated agent or
 293 private license plate agency ~~tag agent~~ at the time of
 294 registration of a motor vehicle that was not purchased from a
 295 dealer. An eligible contribution shall be accompanied by a
 296 contribution election form provided by the Department of
 297 Revenue. The form shall include, at a minimum, the following
 298 brief description of the Hope Scholarship Program and the
 299 Florida Tax Credit Scholarship Program: "THE HOPE SCHOLARSHIP

300 PROGRAM PROVIDES A PUBLIC SCHOOL STUDENT WHO WAS SUBJECTED TO AN
 301 INCIDENT OF VIOLENCE OR BULLYING AT SCHOOL THE OPPORTUNITY TO
 302 APPLY FOR A SCHOLARSHIP TO ATTEND AN ELIGIBLE PRIVATE SCHOOL
 303 RATHER THAN REMAIN IN AN UNSAFE SCHOOL ENVIRONMENT. THE FLORIDA
 304 TAX CREDIT SCHOLARSHIP PROGRAM PROVIDES A LOW-INCOME STUDENT THE
 305 OPPORTUNITY TO APPLY FOR A SCHOLARSHIP TO ATTEND AN ELIGIBLE
 306 PRIVATE SCHOOL." The form shall also include, at a minimum, a
 307 section allowing the consumer to designate, from all
 308 participating scholarship funding organizations, which
 309 organization will receive his or her donation. For purposes of
 310 this subsection, the term "purchase" does not include the lease
 311 or rental of a motor vehicle.

312 (b) A dealer, designated agent, or private license plate
 313 agency ~~tag agent~~ shall:

314 1. Provide the purchaser the contribution election form,
 315 as provided by the Department of Revenue, at the time of
 316 purchase of a motor vehicle or at the time of registration of a
 317 motor vehicle that was not purchased from a dealer.

318 2. Collect eligible contributions.

319 3. Using a form provided by the Department of Revenue,
 320 which shall include the dealer's or agency's ~~agent's~~ federal
 321 employer identification number, remit to an organization no
 322 later than the date the return filed pursuant to s. 212.11 is
 323 due the total amount of contributions made to that organization
 324 and collected during the preceding reporting period. Using the

325 same form, the dealer or agency agent shall also report this
326 information to the Department of Revenue no later than the date
327 the return filed pursuant to s. 212.11 is due.

328 4. Report to the Department of Revenue on each return
329 filed pursuant to s. 212.11 the total amount of credits granted
330 under s. 212.1832 for the preceding reporting period.

331 (c) An organization shall report to the Department of
332 Revenue, on or before the 20th day of each month, the total
333 amount of contributions received pursuant to paragraph (b) in
334 the preceding calendar month on a form provided by the
335 Department of Revenue. Such report shall include:

336 1. The federal employer identification number of each
337 designated agent, private license plate agency tag-agent, or
338 dealer who remitted contributions to the organization during
339 that reporting period.

340 2. The amount of contributions received from each
341 designated agent, private license plate agency tag-agent, or
342 dealer during that reporting period.

343 (g) A Any dealer, designated agent, private license plate
344 agency tag-agent, or organization that fails to timely submit
345 reports to the Department of Revenue as required in paragraphs
346 (b) and (c) is subject to a penalty of \$1,000 for every month,
347 or part thereof, the report is not provided, up to a maximum
348 amount of \$10,000. Such penalty shall be collected by the
349 Department of Revenue and shall be transferred into the General

350 Revenue Fund. Such penalty must be settled or compromised if it
351 is determined by the Department of Revenue that the
352 noncompliance is due to reasonable cause and not due to willful
353 negligence, willful neglect, or fraud.

354 Section 10. This act shall take effect July 1, 2021.