

By Senator Gruters

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1 A bill to be entitled
2 An act relating to private vendor license plate sales;
3 amending s. 320.06, F.S.; conforming provisions to
4 changes made by the act; creating s. 320.08049, F.S.;
5 requiring the Department of Highway Safety and Motor
6 Vehicles to contract with a private vendor through
7 competitive solicitation by a certain date for a
8 specified purpose; specifying license plates that must
9 and may be marketed and sold through the private
10 vendor; specifying requirements for, and authorized
11 and prohibited provisions in, the contract;
12 prohibiting the private vendor from marketing and
13 selling certain specialty license plates; authorizing
14 the department to temporarily operate the program
15 under certain circumstances; amending s. 320.0805,
16 F.S.; specifying personalized prestige license plate
17 application requirements for multiyear plates;
18 requiring a vendor processing fee for certain
19 personalized prestige license plate applications;
20 requiring the department to authorize persons issued
21 certain multiyear plates to transfer their license to
22 display alphanumeric patterns; authorizing the
23 department to provide by rule for a private vendor to
24 take specified actions relating to auctioning a
25 license to display an alphanumeric pattern; providing
26 that certain licenses to display alphanumeric patterns
27 may be transferred; conforming provisions to changes
28 made by the act; amending s. 320.08053, F.S.;

29 authorizing the department and the Legislative Budget

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30 Commission to jointly approve certain new specialty
31 license plates; requiring the department and the
32 commission to jointly develop a certain review process
33 within a certain timeframe; authorizing the department
34 to approve certain new specialty license plates at its
35 sole discretion; providing that the method for
36 specialty license plate presales must authorize the
37 private vendor to conduct presales; specifying the
38 minimum specialty license plate presale voucher
39 requirement for plates marketed and sold by a private
40 vendor; providing applicability; conforming provisions
41 to changes made by the act; amending s. 320.08056,
42 F.S.; authorizing the department to approve new
43 designs and color combinations for certain specialty
44 license plates; providing that certain design and
45 color combinations remain the property of the
46 department; authorizing the department to publicly
47 publish certain proposed designs or color combinations
48 in a certain manner; prohibiting the department from
49 restricting certain background colors, color
50 combinations, or color plate numbers; providing
51 construction; requiring the department to approve
52 certain plates for issuance for a term within a
53 specified range; authorizing the department to cancel
54 a specialty license plate or require its
55 discontinuation under certain circumstances;
56 authorizing certain specialty license plate
57 organizations to have their plates marketed and sold
58 by the private vendor; requiring that certain paid

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59 deposits and fees be credited toward the private
60 vendor; providing that certain dealer and fleet
61 specialty license plates may be ordered directly from
62 the private vendor; specifying requirements for
63 requests for multiyear plates; requiring a vendor
64 processing fee for certain requests; specifying
65 minimum specialty plate registrations for plates
66 marketed and sold by the private vendor; providing
67 applicability; conforming provisions to changes made
68 by the act; amending s. 320.08058, F.S.; conforming a
69 cross-reference; reenacting s. 320.08068(7), F.S.,
70 relating to motorcycle specialty license plates, to
71 incorporate the amendment to s. 320.0805, F.S., in a
72 reference thereto; providing an effective date.

73

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

75

76 Section 1. Paragraph (b) of subsection (1) of section
77 320.06, Florida Statutes, is amended to read:

78 320.06 Registration certificates, license plates, and
79 validation stickers generally.—

80 (1)

81 (b)1. Except as provided in ss. 320.0805(1) and
82 320.08056(3), registration license plates bearing a graphic
83 symbol and the alphanumeric system of identification shall be
84 issued for a 10-year period. At the end of the 10-year period,
85 upon renewal, the plate shall be replaced. The department shall
86 extend the scheduled license plate replacement date from a 6-
87 year period to a 10-year period. The fee for such replacement is

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88 \$28, \$2.80 of which shall be paid each year before the plate is
89 replaced, to be credited toward the next \$28 replacement fee.
90 The fees shall be deposited into the Highway Safety Operating
91 Trust Fund. A credit or refund may not be given for any prior
92 years' payments of the prorated replacement fee if the plate is
93 replaced or surrendered before the end of the 10-year period,
94 except that a credit may be given if a registrant is required by
95 the department to replace a license plate under s.
96 320.08056(11)(a) ~~s. 320.08056(8)(a)~~. With each license plate, a
97 validation sticker shall be issued showing the owner's birth
98 month, license plate number, and the year of expiration or the
99 appropriate renewal period if the owner is not a natural person.
100 The validation sticker shall be placed on the upper right corner
101 of the license plate. The license plate and validation sticker
102 shall be issued based on the applicant's appropriate renewal
103 period. The registration period is 12 months, the extended
104 registration period is 24 months, and all expirations occur
105 based on the applicant's appropriate registration period. Rental
106 vehicles taxed pursuant to s. 320.08(6)(a) may elect a permanent
107 registration period, provided payment of the appropriate license
108 taxes and fees occurs annually. A vehicle that has an
109 apportioned registration shall be issued an annual license plate
110 and a cab card that denote the declared gross vehicle weight for
111 each apportioned jurisdiction in which the vehicle is authorized
112 to operate.

113 2. In order to retain the efficient administration of the
114 taxes and fees imposed by this chapter, the 80-cent fee increase
115 in the replacement fee imposed by chapter 2009-71, Laws of
116 Florida, is negated as provided in s. 320.0804.

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117 Section 2. Section 320.08049, Florida Statutes, is created
118 to read:

119 320.08049 Marketing and sale of personalized prestige
120 license plates and specialty license plates through private
121 vendor; contract with department.-

122 (1) By January 1, 2023, the department shall enter into a
123 contract with a private vendor through the competitive
124 solicitation process pursuant to chapter 287, as determined from
125 competitive sealed proposals that satisfy the requirements of
126 this section, for the marketing and sale through the private
127 vendor of personalized prestige license plates under s. 320.0805
128 and specialty license plates under s. 320.08056 issued for a
129 term of 1 to 10 years.

130 (2) Specialty license plates marketed and sold through the
131 private vendor must include specialty license plates approved
132 under s. 320.08053(1)(b) and those created under s. 320.08058 on
133 or after January 1, 2023; and, at the request of the sponsoring
134 specialty license plate organization, must include an existing
135 specialty license plate created in s. 320.08058 before January
136 1, 2023.

137 (3) The department's contract with the private vendor may
138 provide for the vendor to host all or some of the specialty
139 license plates on the vendor's website and process the purchase
140 of personalized prestige license plates and of specialty license
141 plates hosted on the vendor's website. The contract:

142 (a) Must comply with any law generally applicable to a
143 contract for services entered into by the department.

144 (b) Must establish reasonable vendor processing fees to be
145 retained by the private vendor pursuant to ss. 320.0805(2)(d)

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146 and 320.08056(6)(e).

147 (c) Must require the private vendor to submit, at least
148 quarterly, to the department periodic accounts that accurately
149 detail all material transactions, including information
150 reasonably required by the department to verify fees collected
151 by the vendor and the remittance of all money payable to the
152 department under the contract.

153 (d) Must allow or require the private vendor to establish
154 an electronic infrastructure, coordinated and compatible with
155 the department's registration system, by which motor vehicle
156 owners may electronically send and receive applications, other
157 documents, or required payments and which, when secure access is
158 necessary, can be electronically validated by the department.

159 (e) Must provide for the department to recover all costs
160 incurred by the department in implementing this section. Under
161 the contract, the department may require the private vendor to
162 reimburse the department in advance for up to 50 percent of the
163 department's anticipated costs in connection with the contract
164 and the department's anticipated costs in connection with the
165 introduction of a new specialty license plate.

166 (f) May not authorize the department to:

167 1. Unreasonably disapprove or limit any aspect of the
168 private vendor's marketing and sales plan;

169 2. Unreasonably interfere with the selection, assignment,
170 or management of the private vendor or the private vendor's
171 employees, agents, or subcontractors; or

172 3. Require the private vendor to market and sell a
173 specialty license plate or personalized prestige license plate.

174 (4) A contract under this section must be for an initial

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175 term of at least 5 years from the effective date of the
176 contract. The contract may provide, with the agreement of the
177 department and the private vendor, a second term or subsequent
178 terms at least equal in duration to the initial term of the
179 contract.

180 (5) The private vendor may not market or sell a specialty
181 license plate that competes directly for sales with another
182 specialty license plate unless approved by the department and
183 the sponsoring specialty license plate organization of the other
184 specialty license plate.

185 (6) If the private vendor ceases operations, the program
186 may be operated temporarily by the department under new
187 agreements with sponsoring specialty license plate organizations
188 until another private vendor is selected and begins operations.

189 Section 3. Section 320.0805, Florida Statutes, is amended
190 to read:

191 320.0805 Personalized prestige license plates.—

192 (1) The department shall issue a personalized prestige
193 license plate to the owner or lessee of any motor vehicle,
194 except a vehicle registered under the International Registration
195 Plan or a commercial truck required to display two license
196 plates pursuant to s. 320.0706, upon application and payment of
197 the appropriate license tax and fees. Pursuant to s. 320.08049,
198 the department shall enter into a contract with a private vendor
199 for the right to market and sell personalized prestige license
200 plates issued for a term of 1 to 10 years.

201 (2) Each request for specific numbers or letters or
202 combinations thereof shall be submitted ~~annually~~ to the
203 department on an application form supplied by the department.

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204 The request must be made annually for a single-year plate or in
205 the last year of the term for a multiyear plate sold by the
206 private vendor. The request must be, accompanied by the
207 following tax and fees:

208 (a) The license tax required for the vehicle, as set forth
209 in s. 320.08. For a multiyear plate sold by the private vendor,
210 the request must include the tax for each of the years of the
211 term.

212 (b) A prestige plate annual use fee of \$10. For a multiyear
213 plate sold by the private vendor, the request must include the
214 annual use fee for each of the years of the term.

215 (c) A processing fee of \$5, to be deposited into the
216 Highway Safety Operating Trust Fund.

217 (d) For a personalized prestige license plate established
218 by the private vendor, the vendor processing fee established in
219 s. 320.08049(3)(b), to be retained by the private vendor.

220 (3) The department shall review each application requesting
221 a personalized prestige license plate and, if requested numerals
222 or letters or combinations thereof are available ~~have not been~~
223 ~~previously assigned or issued to any other applicant,~~ and if the
224 required tax and fees have been submitted, the department must
225 ~~shall~~ issue and deliver the requested personalized prestige
226 license plate to the applicant.

227 (4) The department is authorized to reject requests deemed
228 by it to be objectionable, and the department is further
229 authorized to recall, ~~during a registration period,~~ any issued
230 personalized license plate determined by it to be obscene or
231 otherwise objectionable during the term of the plate.

232 (5) Any application rejected by the department shall be

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233 returned to the applicant, along with the tax and fees
234 submitted, within 15 days after the receipt of the application.
235 If any personalized license plate is recalled within its term a
236 ~~current registration period~~, the department shall refund the
237 prestige plate use fee ~~of \$10~~, the special fee of 50 cents, and
238 the portion of the license tax, computed on a monthly basis, for
239 the unused balance of the term registration period.

240 (6) A personalized prestige license plate shall be issued
241 for the exclusive continuing use of the applicant, except as
242 provided in paragraph (7) (b) or subsection (10). An exact
243 duplicate of any plate may not be issued to any other applicant
244 during the same term registration period. An exact duplicate may
245 not be issued for any succeeding term year unless the previous
246 owner of a specific plate relinquishes it by failure to apply
247 for renewal or reissuance for 1 year following the last year of
248 the term or by transferring it pursuant to paragraph (7) (b) or
249 subsection (10) issuance.

250 (7) (a) If a vehicle owner who has been issued a
251 personalized prestige license plate acquires a replacement
252 vehicle within the plate term a ~~registration period~~, the
253 department shall authorize a transfer of a prestige license
254 plate to the replacement vehicle in accordance with the
255 provisions of s. 320.0609. There will be no refund of the annual
256 use fee or processing fee.

257 (b) The department shall authorize a person issued a
258 multiyear plate sold by the private vendor to transfer the
259 license to display the alphanumeric pattern to another person.

260 (8) (a) Alphanumeric patterns for personalized prestige
261 license plates shall consist of three types of patterns, ~~plates~~

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262 as follows:

263 1. A plate imprinted with numerals only. Such plates shall
264 consist of numerals from 1 to 999, inclusive.

265 2. A plate imprinted with capital letters only. Such plates
266 shall consist of capital letters "A" through "Z" and shall be
267 limited to a total of seven of the same or different capital
268 letters. A hyphen may be added in addition to the seven letters.

269 3. A plate imprinted with both capital letters and
270 numerals. Such plates shall consist of no more than a total of
271 seven characters, including both numerals and capital letters,
272 in any combination, except that a hyphen may be added in
273 addition to the seven characters if desired or needed. However,
274 on those plates issued to, and bearing the names of,
275 organizations, the letters and numerals shall be of such size,
276 if necessary, as to accommodate a maximum of 18 digits for
277 automobiles, trucks, and recreational vehicles and 7 digits for
278 motorcycles. Plates consisting of the four capital letters
279 "PRES" preceded or followed by a hyphen and numerals of 1 to 999
280 shall be reserved for issuance only to applicants who qualify as
281 members of the press and who are associated with, or are
282 employees of, the reporting media.

283 (b) Personalized prestige plates must be of the same
284 material, size, and distinctive color as any license plates
285 authorized by this chapter and issued by the state for any term
286 ~~registration period~~; however, the imprinting of personalized
287 prestige license plates shall be limited solely to the
288 following:

289 1. The letters or numerals or combination of both requested
290 by the applicant must be stamped in large bold letters and

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291 numerals, limited to the number of characters based on the
292 specific design of the plate requested by the applicant.

293 2. The word "Florida" must be stamped across the bottom of
294 the plate in small letters, unless the word "Florida" is
295 required to be stamped across the top of the plate according to
296 the specific design of the plate.

297 (9) The annual use fee generated pursuant to this section
298 shall be distributed pursuant to s. 320.20.

299 (10) (a) The department may provide by rule for the private
300 vendor to:

301 1. Sell at auction a license to display a unique
302 alphanumeric pattern on a personalized prestige license plate
303 for a period set by department rule;

304 2. Reserve an unissued alphanumeric pattern from the
305 department for purposes of auctioning a license to display the
306 pattern for a period set by department rule;

307 3. Purchase from a person an unexpired license to display
308 an alphanumeric pattern for purposes of auction by the private
309 vendor; and

310 4. Sell at auction, on behalf of a person with an unexpired
311 license to display an alphanumeric pattern, the person's
312 license.

313 (b) A license to display an alphanumeric pattern purchased
314 under this subsection may be transferred to another person.

315 Section 4. Section 320.08053, Florida Statutes, is amended
316 to read:

317 320.08053 Establishment of specialty license plates.-

318 (1) (a) If a specialty license plate requested by an
319 organization is approved by law or is approved pursuant to

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320 paragraph (b), the organization must submit the proposed art
321 design for the specialty license plate to the department, in a
322 medium prescribed by the department, as soon as practicable, but
323 no later than 60 days after the act approving the specialty
324 license plate becomes a law or 60 days after the date of the
325 joint approval under paragraph (b).

326 (b) The department and the Legislative Budget Commission
327 may jointly approve new specialty license plates requested by an
328 organization which will be marketed and sold through a private
329 vendor pursuant to s. 320.08056. Within 90 days after the
330 department enters into the contract with the private vendor
331 under s. 320.08049, the department and the Legislative Budget
332 Commission shall jointly develop a process for the review of a
333 request for a new specialty license plate. The process must
334 provide for the approval or denial of new plate designs within
335 90 days after submission. At its sole discretion, the department
336 may approve new specialty license plates marketed and sold
337 through the private vendor which are not requested by, or do not
338 represent, an organization.

339 (2) (a) Within 120 days after the specialty license plate
340 becomes law or is approved pursuant to paragraph (1) (b), the
341 department shall establish a method to issue a specialty license
342 plate voucher to allow for the presale of the specialty license
343 plate. The method must authorize the private vendor to conduct
344 presales. The processing fee as prescribed in s. 320.08056, the
345 service charge and branch fee as prescribed in s. 320.04, ~~and~~
346 the annual use fee as prescribed in s. 320.08056, and, if
347 applicable, the vendor processing fee prescribed in s. 320.08056
348 shall be charged for the voucher. All other applicable fees

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349 shall be charged at the time of issuance of the license plates.

350 (b) Within 24 months after the presale specialty license
351 plate voucher is established, the approved specialty license
352 plate organization must record with the department a minimum of:

353 1. Three thousand ~~3,000~~ voucher sales; ~~or~~

354 2. In the case of an out-of-state college or university
355 license plate, 4,000 voucher sales; or

356 3. In the case of a specialty license plate marketed and
357 sold by a private vendor, 200 voucher sales,

358
359 before manufacture of the license plate may commence. If, at the
360 conclusion of the 24-month presale period, the minimum sales
361 requirement has not been met, the specialty plate is
362 deauthorized and the department shall discontinue development of
363 the plate and discontinue issuance of the presale vouchers. Upon
364 deauthorization of the license plate or if the plate has met the
365 presale requirement but has not been issued, a purchaser of the
366 license plate voucher may use the annual use fee collected as a
367 credit towards any other specialty license plate or apply for a
368 refund on a form prescribed by the department.

369 (3) (a) New specialty license plates that have been approved
370 by law but are awaiting issuance under paragraph (b) shall be
371 issued in the order they appear in s. 320.08058 provided that
372 they have met the presale requirement. All other provisions of
373 this section must also be met before a specialty license plate
374 may be issued. If the next awaiting specialty license plate has
375 not met the presale requirement, the department shall proceed in
376 the order provided in s. 320.08058 to identify the next
377 qualified specialty license plate that has met the presale

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378 requirement. The department shall cycle through the list in
379 statutory order.

380 (b) If the Legislature has approved 150 or more specialty
381 license plates, the department may not issue any new specialty
382 license plates until a sufficient number of plates are
383 discontinued pursuant to s. 320.08056(11) ~~s. 320.08056(8)~~ such
384 that the number of plates being issued does not exceed 150.
385 Notwithstanding s. 320.08056(11)(a) ~~s. 320.08056(8)(a)~~, the 150-
386 license-plate limit includes license plates above the minimum
387 sales threshold and those exempt from that threshold.

388 (c) This subsection does not apply to specialty license
389 plates approved pursuant to paragraph (1)(b).

390 Section 5. Section 320.08056, Florida Statutes, is amended
391 to read:

392 320.08056 Specialty license plates.—

393 (1) The department is responsible for developing the
394 specialty license plates authorized in s. 320.08053 and shall
395 enter into a contact with a private vendor pursuant to s.
396 320.08049 for the right to market and sell specialty license
397 plates.

398 (2) (a) The department may approve new designs and color
399 combinations for a specialty license plate approved by law which
400 is marketed and sold by the private vendor. Each approved
401 license plate design and color combination remains the property
402 of the department.

403 (b) Each approved license plate design and color
404 combination jointly approved by the department and the
405 Legislative Budget Commission or approved by the department
406 under s. 320.08053(1)(b) remains the property of the department.

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407 (c) The department may publish for public comment on its
408 website for up to 10 days a proposed design or color combination
409 for a specialty license plate marketed or sold by the private
410 vendor. The department may not restrict the background color,
411 color combinations, or the color of alphanumeric license plate
412 numbers of such a specialty license plate, except as determined
413 by the department as necessary for law enforcement purposes.

414 (d) Except as otherwise provided by this chapter, this
415 subsection does not authorize the approval of a new design or
416 color combination for a specialty license plate that is
417 inconsistent with the design or color combination specified for
418 the license plate by s. 320.08058, and this subsection does not
419 authorize the private vendor to market or sell a specialty
420 license plate with a design or color combination that is
421 inconsistent with the design or color combination specified in
422 s. 320.08058.

423 (3) Notwithstanding any other law, a specialty license
424 plate marketed and sold by the private vendor must be approved
425 by the department for issuance for a term of 1 to 10 years.
426 Subject to the limitations provided in subsection (11) and s.
427 320.08053(2)(b), the department may cancel a specialty license
428 plate or require the discontinuation of a specialty license
429 plate design or color combination that is marketed and sold by
430 the private vendor under contract at any time if the department
431 determines that the cancellation or discontinuation is in the
432 best interest of this state or the motoring public.

433 (4) An organization to which specialty license plate annual
434 use fees are distributed under s. 320.08058 on or before June
435 30, 2022, may elect to have its respective specialty license

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436 plate marketed and sold by the private vendor after July 1,
437 2022. Any previously paid deposit or fee shall be credited
438 toward the private vendor for the term to which it applies.

439 (5) (a) The department shall issue a specialty license plate
440 to the owner or lessee of any motor vehicle, except a vehicle
441 registered under the International Registration Plan, a
442 commercial truck required to display two license plates pursuant
443 to s. 320.0706, or a truck tractor, upon request and payment of
444 the appropriate license tax and fees.

445 (b) The department may authorize dealer and fleet specialty
446 license plates. With the permission of the sponsoring specialty
447 license plate organization, a dealer or fleet company may
448 purchase specialty license plates to be used on dealer and fleet
449 vehicles.

450 (c) Notwithstanding s. 320.08058, a dealer or fleet
451 specialty license plate must include the letters "DLR" or "FLT"
452 on the right side of the license plate. Dealer and fleet
453 specialty license plates must be ordered directly from the
454 department unless marketed and sold by the private vendor, in
455 which case they may be ordered directly from the vendor.

456 (6) ~~(3)~~ Each request must be made ~~annually~~ to the department
457 or an authorized agent serving on behalf of the department. The
458 request must be made annually for a single-year plate or in the
459 last year of the term for a multiyear plate sold by the private
460 vendor. The request must be, accompanied by the following tax
461 and fees:

462 (a) The license tax required for the vehicle as set forth
463 in s. 320.08. For a multiyear plate sold by the private vendor,
464 the request must include the tax for each of the years of the

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465 term.

466 (b) A processing fee of \$5, to be deposited into the
467 Highway Safety Operating Trust Fund.

468 (c) A license plate fee as required by s. 320.06(1)(b).

469 (d) Unless the amount of an annual use fee is otherwise
470 specified in subsection (7) ~~(4)~~ for a particular specialty
471 license plate, an annual use fee of \$25 for any specialty
472 license plate that is required to be developed under s.
473 320.08058. For a multiyear plate sold by the private vendor, the
474 request must include the annual use fee for each of the years of
475 the term.

476 (e) For a specialty license plate established by the
477 private vendor, the vendor processing fee established in s.
478 320.08049(3)(b), to be retained by the private vendor.

479

480 A request may be made any time during a registration period. If
481 a request is made for a specialty license plate to replace a
482 current valid license plate, the specialty license plate must be
483 issued with appropriate decals attached at no tax for the plate,
484 but all fees and service charges must be paid. If a request is
485 made for a specialty license plate at the beginning of the
486 registration period, the tax, together with all applicable fees
487 and service charges, must be paid.

488 ~~(7)(4)~~ The following license plate annual use fees shall be
489 collected for the appropriate specialty license plates:

490 (a) Challenger/Columbia license plate, \$25, except that a
491 person who purchases 1,000 or more of such license plates shall
492 pay an annual use fee of \$15 per plate.

493 (b) Florida Salutes Veterans license plate, \$15.

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- 494 (c) Florida United States Olympic Committee license plate,
495 \$15.
- 496 (d) Florida Special Olympics license plate, \$15.
- 497 (e) Florida educational license plate, \$20.
- 498 (f) Florida Indian River Lagoon license plate, \$15.
- 499 (g) Invest in Children license plate, \$20.
- 500 (h) Florida arts license plate, \$20.
- 501 (i) Florida Agricultural license plate, \$20.
- 502 (j) Police Athletic League license plate, \$20.
- 503 (k) Boy Scouts of America license plate, \$20.
- 504 (l) Sea Turtle license plate, \$23.
- 505 (m) Protect Wild Dolphins license plate, \$20.
- 506 (n) Everglades River of Grass license plate, \$20.
- 507 (o) Tampa Bay Estuary license plate, \$15.
- 508 (p) Florida Wildflower license plate, \$15.
- 509 (q) United States Marine Corps license plate, \$15.
- 510 (r) Choose Life license plate, \$20.
- 511 (s) Share the Road license plate, \$15.
- 512 (t) Florida Firefighters license plate, \$20.
- 513 (u) Police Benevolent Association license plate, \$20.
- 514 (v) Military Services license plate, \$15.
- 515 (w) Fish Florida license plate, \$22.
- 516 (x) Save Our Seas license plate, \$25, except that for an
517 owner purchasing the specialty license plate for more than 10
518 vehicles registered to that owner, the annual use fee shall be
519 \$10 per plate.
- 520 (y) Aquaculture license plate, \$25, except that for an
521 owner purchasing the specialty license plate for more than 10
522 vehicles registered to that owner, the annual use fee shall be

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523 \$10 per plate.

524 ~~(8)(5)~~ If a vehicle owner or lessee to whom the department
525 has issued a specialty license plate acquires a replacement
526 vehicle within the owner's registration period, the department
527 must authorize a transfer of the specialty license plate to the
528 replacement vehicle in accordance with s. 320.0609. The annual
529 use fee or processing fee may not be refunded.

530 ~~(9)(6)~~ Except as otherwise provided in this section,
531 specialty license plates must bear the design required by law
532 for the appropriate specialty license plate, and the designs and
533 colors must conform to the department's design specifications.
534 In addition to a design, the specialty license plates may bear
535 the imprint of numerals from 1 to 999, inclusive, capital
536 letters "A" through "Z," or a combination thereof. The
537 department shall determine the maximum number of characters,
538 including both numerals and letters. All specialty license
539 plates must be otherwise of the same material and size as
540 standard license plates issued for any registration period. A
541 specialty license plate may bear an appropriate slogan, emblem,
542 or logo in a size and placement that conforms to the
543 department's design specifications. The sponsoring
544 organization's Internet domain name may appear on the plate.

545 ~~(10)(7)~~ The department shall annually retain from the first
546 proceeds derived from the annual use fees collected an amount
547 sufficient to defray each specialty plate's pro rata share of
548 the department's costs directly related to the specialty license
549 plate program. Such costs shall include inventory costs,
550 distribution costs, direct costs to the department, costs
551 associated with reviewing each organization's compliance with

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552 audit and attestation requirements of s. 320.08062, and any
553 applicable increased costs of manufacturing the specialty
554 license plate. Any cost increase to the department related to
555 actual cost of the plate, including a reasonable vendor profit,
556 shall be verified by the Department of Management Services. The
557 balance of the proceeds from the annual use fees collected for
558 that specialty license plate shall be distributed as provided by
559 law.

560 (11) (a) ~~(8) (a)~~ The department must discontinue the issuance
561 of an approved specialty license plate if the number of valid
562 specialty plate registrations falls below 1,000 plates for at
563 least 12 consecutive months, or below 200 plates for at least 12
564 consecutive months in the case of an approved specialty license
565 plate marketed and sold by the private vendor. A warning letter
566 shall be mailed to the sponsoring organization following the
567 first month in which the total number of valid specialty plate
568 registrations is below the required minimum 1,000 plates. This
569 paragraph does not apply to collegiate license plates
570 established under s. 320.08058(3).

571 (b) The department may ~~is authorized to~~ discontinue the
572 issuance of a specialty license plate and distribution of
573 associated annual use fee proceeds if the organization no longer
574 exists, if the organization has stopped providing services that
575 are authorized to be funded from the annual use fee proceeds, if
576 the organization does not meet the presale requirements as
577 prescribed in s. 320.08053, or pursuant to an organizational
578 recipient's request. Organizations shall notify the department
579 immediately to stop all warrants for plate sales if any of the
580 conditions in this section exist and must meet the requirements

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581 of s. 320.08062 for any period of operation during a fiscal
582 year.

583 (c) A vehicle owner or lessee issued a specialty license
584 plate that has been discontinued by the department may keep the
585 discontinued specialty license plate for the remainder of the
586 ~~10-year~~ license plate term provided in this section or s.
587 320.06, as applicable, ~~replacement period~~ and must pay all other
588 applicable registration fees. However, such owner or lessee is
589 exempt from paying the applicable specialty license plate annual
590 use fee under paragraph (6) (d) ~~(3) (d)~~ or subsection (7) (4) for
591 the remainder of the ~~10-year~~ license plate term ~~replacement~~
592 ~~period~~.

593 (d) If the department discontinues issuance of a specialty
594 license plate, all annual use fees held or collected by the
595 department shall be distributed within 180 days after the date
596 the specialty license plate is discontinued. Of those fees, the
597 department shall retain an amount sufficient to defray the
598 applicable administrative and inventory closeout costs
599 associated with discontinuance of the plate. All remaining
600 proceeds shall be distributed to the appropriate organization or
601 organizations pursuant to s. 320.08058.

602 (e) If an organization that is the intended recipient of
603 the funds pursuant to s. 320.08058 no longer exists, the
604 department shall deposit any undisbursed proceeds into the
605 Highway Safety Operating Trust Fund.

606 (f) Notwithstanding paragraph (a), on January 1 of each
607 year, the department shall discontinue the specialty license
608 plate with the fewest number of plates in circulation, including
609 license plates exempt from a statutory sales requirement. The

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610 department shall mail a warning letter to the sponsoring
611 organizations of the 10 percent of specialty license plates with
612 the lowest number of valid, active registrations as of December
613 1 of each year. This paragraph does not apply to specialty
614 license plates marketed and sold by the private vendor.

615 (12)~~(9)~~ The organization that requested the specialty
616 license plate may not redesign the specialty license plate
617 unless the inventory of those plates has been depleted. However,
618 the organization may purchase the remaining inventory of the
619 specialty license plates from the department at cost.

620 (13) (a)~~(10) (a)~~ A specialty license plate annual use fee
621 collected and distributed under this chapter, or any interest
622 earned from those fees, may not be used for commercial or for-
623 profit activities nor for general or administrative expenses,
624 except as authorized by s. 320.08058 or to pay the cost of the
625 audit or report required by s. 320.08062(1). The fees and any
626 interest earned from the fees may be expended only for use in
627 this state unless the annual use fee is derived from the sale of
628 United States Armed Forces and veterans-related specialty
629 license plates pursuant to paragraph (6) (d) ~~(3) (d)~~ for the
630 Support Our Troops, American Legion, and Honor Flight license
631 plates; paragraphs (7) (b), (g), and (v) ~~(4) (b), (g), and (v)~~ for
632 the Florida Salutes Veterans, United States Marine Corps, and
633 Military Services license plates, respectively; and s. 320.0891
634 for the U.S. Paratrooper license plate.

635 (b) As used in this subsection, the term "administrative
636 expenses" means those expenditures which are considered as
637 direct operating costs of the organization. Such costs include,
638 but are not limited to, the following:

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639 1. Administrative salaries of employees and officers of the
640 organization who do not or cannot prove, via detailed daily time
641 sheets, that they actively participate in program activities.

642 2. Bookkeeping and support services of the organization.

643 3. Office supplies and equipment not directly utilized for
644 the specified program.

645 4. Travel time, per diem, mileage reimbursement, and
646 lodging expenses not directly associated with a specified
647 program purpose.

648 5. Paper, printing, envelopes, and postage not directly
649 associated with a specified program purpose.

650 6. Miscellaneous expenses such as food, beverage,
651 entertainment, and conventions.

652 (14)~~(11)~~ The annual use fee from the sale of specialty
653 license plates, the interest earned from those fees, or any fees
654 received by any entity as a result of the sale of specialty
655 license plates may not be used for the purpose of marketing to,
656 or lobbying, entertaining, or rewarding, an employee of a
657 governmental agency that is responsible for the sale and
658 distribution of specialty license plates, or an elected member
659 or employee of the Legislature. This subsection does not apply
660 to specialty license plates marketed and sold by the private
661 vendor.

662 (15)~~(12)~~ Notwithstanding s. 320.08058(3)(a), the
663 department, in cooperation with the independent colleges or
664 universities as described in s. 1009.89, shall create a standard
665 template specialty license plate with a unique logo or graphic
666 identifying each independent college or university. Each
667 independent college or university may elect to use this standard

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668 template specialty license plate in lieu of its own specialty
669 license plate. Annual use fees from the sale of these license
670 plates shall be distributed to the independent college or
671 university for which the logo or graphic is displayed on the
672 license plate and shall be used as provided in s. 320.08058(3).
673 Independent colleges or universities opting to use the standard
674 template specialty license plate shall have their plate sales
675 combined for purposes of meeting the minimum license plate sales
676 threshold in paragraph (11)(a) ~~(8)(a)~~ and for determining the
677 license plate limit in s. 320.08053(3)(b). Specialty license
678 plates created pursuant to this subsection must be ordered
679 directly from the department. If the independent college or
680 university elects to use the standard template specialty license
681 plate, the department shall discontinue the existing specialty
682 license plate.

683 (16) ~~(13)~~ For out-of-state college or university license
684 plates created pursuant to this section, documentation
685 acceptable to the department that the department has the
686 college's or university's consent to use an appropriate image on
687 a license plate shall be on file with the department prior to
688 development of the out-of-state college or university license
689 plate.

690 (17) ~~(14)~~ Before the issuance of vouchers for the presale of
691 an out-of-state college or university license plate, the
692 department shall determine whether the state in which the out-
693 of-state college or university is located has authorized any
694 license plates for colleges or universities located in this
695 state. The department may not issue any out-of-state college or
696 university license plate unless the state in which the college

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697 or university is located has authorized license plates for
698 colleges or universities located in this state.

699 (18)~~(15)~~ The application form for a specialty license plate
700 shall provide the applicant the option to instruct the
701 department to provide his or her name, address, and renewal date
702 to the sponsoring organization.

703 Section 6. Subsection (101) of section 320.08058, Florida
704 Statutes, is amended to read:

705 320.08058 Specialty license plates.—

706 (101) DIVINE NINE LICENSE PLATES.—

707 (a) The department shall develop a Divine Nine license
708 plate as provided in this section and s. 320.08053 using a
709 standard template and a unique logo, graphic, or color for each
710 of the organizations listed in sub-subparagraphs (b)3.a.-i. The
711 plate must bear the colors and design approved by the department
712 and must include the official logo, graphic, or color as
713 appropriate for each organization. The word "Florida" must
714 appear at the top of the plate, and the words "Divine Nine" must
715 appear at the bottom of the plate.

716 (b) The annual use fees from the sale of the plate shall be
717 distributed as follows:

718 1. Five percent of the proceeds shall be distributed to the
719 United Negro College Fund, Inc., for college scholarships for
720 Florida residents attending Florida's historically black
721 colleges and universities.

722 2. Ten percent of the proceeds shall be distributed to the
723 Association to Preserve African American Society, History and
724 Tradition, Inc., solely for the marketing of the plate.

725 3. The remaining 85 percent of the proceeds shall be

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726 distributed to one of the following organizations as selected by
727 the purchaser of the plate who, upon fulfilling the requirements
728 of paragraph (c), shall receive a license plate with the logo,
729 graphic, or color associated with the appropriate recipient
730 organization:

731 a. Alpha Phi Alpha Fraternity, Inc.—Eighty-five percent
732 shall be distributed to the Florida Federation of Alpha
733 Chapters, Inc., to promote community awareness and action
734 through educational, economic, and cultural service activities
735 within this state.

736 b. Alpha Kappa Alpha Sorority, Inc.—Eighty-five percent
737 shall be distributed to the Alpha Kappa Alpha Educational
738 Advancement Foundation, Inc., to promote community awareness and
739 action through educational, economic, and cultural service
740 activities within this state.

741 c. Kappa Alpha Psi Fraternity, Inc.—Eighty-five percent
742 shall be distributed to the Southern Province of Kappa Alpha Psi
743 Fraternity, Inc., to promote community awareness and action
744 through educational, economic, and cultural service activities
745 within this state.

746 d. Omega Psi Phi Fraternity, Inc.—Eighty-five percent shall
747 be distributed to the State of Florida Omega Friendship
748 Foundation, Inc., to promote community awareness and action
749 through educational, economic, and cultural service activities
750 within this state.

751 e. Delta Sigma Theta Sorority, Inc.—Eighty-five percent
752 shall be distributed to the Delta Research and Educational
753 Foundation, Inc., to promote community awareness and action
754 through educational, economic, and cultural service activities

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755 within this state.

756 f. Phi Beta Sigma Fraternity, Inc.—Eighty-five percent
757 shall be distributed to the TMB Charitable Foundation, Inc., to
758 promote community awareness and action through educational,
759 economic, and cultural service activities within this state.

760 g. Zeta Phi Beta Sorority, Inc.—Eighty-five percent shall
761 be distributed to the Florida Pearls, Inc., to promote community
762 awareness and action through educational, economic, and cultural
763 service activities within this state.

764 h. Sigma Gamma Rho Sorority, Inc.—Eighty-five percent shall
765 be distributed to the Sigma Gamma Rho Sorority National
766 Education Fund, Inc., to promote community awareness and action
767 through educational, economic, and cultural service activities
768 within this state.

769 i. Iota Phi Theta Fraternity, Inc.—Eighty-five percent
770 shall be distributed to the National Iota Foundation, Inc., to
771 promote community awareness and action through educational,
772 economic, and cultural service activities within this state.

773 (c)1. To be eligible for issuance of a Divine Nine license
774 plate representing an organization listed in sub-subparagraphs
775 (b)3.a.-i., a person must be a resident of this state who is the
776 registered owner of a motor vehicle and who is a member of the
777 applicable organization. The person must also present proof of
778 membership in the organization, which may be established by:

779 a. A card distributed by the organization indicating the
780 person's membership in the organization; or

781 b. A written letter on the organization's letterhead which
782 is signed by the organization's national president or his or her
783 designated official and which states that the person was

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784 inducted into the organization.

785 2. Proof of membership in an organization listed in sub-
786 subparagraphs (b)3.a.-i. is required only for initial issuance
787 of a Divine Nine license plate. A person need not present such
788 proof for renewal of the license plate.

789 (d) A Divine Nine license plate:

790 1. May be personalized.

791 2. May not be transferred between vehicle owners.

792

793 License plates created pursuant to this subsection shall have
794 their plate sales combined for the purpose of meeting the
795 minimum license plate sales threshold in s. 320.08056(11)(a) ~~s.~~
796 ~~320.08056(8)(a)~~ and for determining the license plate limit in
797 s. 320.08053(3)(b). License plates created pursuant to this
798 subsection must be ordered directly from the department.

799 Section 7. For the purpose of incorporating the amendment
800 made by this act to section 320.0805, Florida Statutes, in a
801 reference thereto, subsection (7) of section 320.08068, Florida
802 Statutes, is reenacted to read:

803 320.08068 Motorcycle specialty license plates.—

804 (7) The department may issue personalized prestige plates
805 for license plates authorized in this section. Such plates shall
806 be issued in accordance with applicable provisions contained in
807 s. 320.0805.

808 Section 8. This act shall take effect July 1, 2022.