

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Appropriations Committee on Transportation, Tourism, and Economic Development

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BILL: CS/SB 1246

INTRODUCER: Transportation Committee and Senator Rodriguez

SUBJECT: Specialty License Plates/Save Coastal Wildlife

DATE: April 9, 2025

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Shutes</u>	<u>Vickers</u>	<u>TR</u>	<u><b>Fav/CS</b></u>
2.	<u>Wells</u>	<u>Nortelus</u>	<u>ATD</u>	<u><b>Pre-meeting</b></u>
3.	<u>                    </u>	<u>                    </u>	<u>FP</u>	<u>                    </u>

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 1246 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV) to create a new specialty license plate for Save Coastal Wildlife. The annual use fee for the plate is \$25.

Proceeds of the sale of the Save Coastal Wildlife specialty license plate will be distributed to the Zoo Miami Foundation, Inc., for conservation of imperiled coastal wildlife and ecosystems in this state through field conservation and mission focused research. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate.

The estimated fiscal impact associated with the implementation of new specialty license plates is \$8,280. **See Section V. Fiscal Impact Statement.**

The bill takes effect October 1, 2025.

**II. Present Situation:**

**Zoo Miami Foundation, Inc.**

Zoo Miami Foundation, Inc. is a Florida not-for-profit corporation registered with the Florida Department of State.<sup>1</sup> According to the Foundation’s website: “Zoo Miami Foundation is fueled by the generosity of individuals, corporations, foundations, and government entities; the Zoo Miami Foundation offers robust Learning Experience programs, supports vital conservation efforts, and funds essential capital projects that enhance animal welfare and visitor experiences at Zoo Miami.”<sup>2</sup> With one of the largest membership bases in South Florida, Zoo Miami Foundation continues to make a significant impact, educating and inspiring the community to take action in conservation efforts.”<sup>3</sup>

### Specialty License Plates

According to the DHSMV, as of February 2025, there are 133 specialty license plates authorized by the Legislature. Of these plates, 113 are available for immediate purchase and 20 are in the presale process. Specialty license plates are available to an owner or lessee of a motor vehicle who is willing to pay an annual use fee, ranging from \$15 to \$25, paid in addition to required license taxes and service fees.<sup>4</sup> The annual use fees are distributed to organizations in support of a particular cause or charity signified on the plate’s design and designated in statute.<sup>5</sup>

In order to establish a specialty license plate (after the plate is approved by law) s. 320.08053, F.S., requires the following actions within certain timelines:

- Within 60 days, the organization must submit an art design for the plate, in a medium prescribed by the DHSMV;
- Within 120 days, the DHSMV must establish a method to issue presale vouchers for the specialty license plate; and
- Within 24 months after the presale vouchers are established, the organization must obtain a minimum of 3,000 voucher sales before manufacturing of the plate may begin.<sup>6</sup>

If the minimum sales requirement has not been met by the end of the 24-month presale period, then the DHSMV will discontinue the plate and issuance of presale vouchers.<sup>7</sup> Upon discontinuation, a purchaser of a presale voucher may use the annual use fee as a credit towards any other specialty license plate or apply for a refund with the DHSMV.<sup>8</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., provided that presale requirements have been met. If the next listed specialty license plate has not met the presale requirement, the

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<sup>1</sup> Florida Department of State: Division of Corporations, *Zoo Miami Foundation, Inc.* Sunbiz.org, Document number 726093 (March 19, 2025).

<sup>2</sup> Zoo Miami Foundation, [Zoo Miami Foundation | Zoo Miami](https://www.zoomiamifoundation.org/), (last visited March 19, 2025).

<sup>3</sup> *Id.*

<sup>4</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>5</sup> Section 320.08058, F.S.

<sup>6</sup> Chapter 2022-189, Laws of Fla., extended the presale requirement by an additional 24 months for an approved specialty license plate organization that, as of June 15, 2022, is in the presale period but had not recorded at least 3,000 voucher sales.

<sup>7</sup> Section 320.08058(3), F.S., provides that any collegiate plate established after October 1, 2002, must comply with the requirements of s. 320.08053, F.S., other than the presale voucher requirements in s. 320.08053(2)(b), F.S., and be specifically authorized by the Legislature.

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

DHSMV will proceed in the order provided in s. 320.08058, F.S., to identify the next qualified specialty license plate that has met the presale requirement.<sup>9</sup>

If the Legislature has approved 135 or more specialty license plates, the DHSMV may not make any new specialty license plates available for design or issuance until a sufficient number of plates are discontinued so that the number of plates being issued does not exceed 135.<sup>10</sup>

### ***Use of Specialty License Plate Fees***

The annual use fees collected by an organization and any interest earned from the fees may be expended only for use in this state unless the annual use fee is derived from the sale of specified United States Armed Forces and veterans-related specialty plates.<sup>11</sup> Additionally, organizations must adhere to certain accountability requirements, including an annual audit or attestation document affirming that funds received have been spent in accordance with applicable statutes.<sup>12</sup>

The annual use fees collected by an organization and the interest earned from those fees may not be used for commercial or for-profit activities, or general or administrative expenses, unless authorized by s. 320.08058, F.S.<sup>13</sup> Additionally, the annual use fees and interest earned from those fees may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, any employee of a governmental agency that is responsible for the sale and distribution of specialty license plates, or any elected member or employee of the Legislature.<sup>14</sup>

### ***Discontinuance of Specialty Plates***

Prior to June 30, 2023, the DHSMV was required to discontinue the issuance of an approved specialty license plate if the number of valid registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter was mailed to the sponsoring organization following the first month in which the total number of valid specialty license plate registrations fell below 1,000 plates. Collegiate plates for Florida universities were exempt from the minimum specialty license plate requirement.<sup>15</sup> In addition, the DHSMV was authorized to discontinue any specialty license plate if the organization ceased to exist, stopped providing services that are funded from the annual use fee proceeds, or pursuant to an organizational recipient's request.<sup>16</sup>

However, effective July 1, 2023, the requirement increased so that the DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid registrations falls below 3,000, or in the case of an out-of-state college or university license plate, 4,000, for at least 12 consecutive months. The DHSMV must mail a warning letter to the sponsoring organization following the first month in which the total number of valid specialty plate registrations is below 3,000, or in the case of an out-of-state college or university license plate, 4,000. This does not apply to in-state collegiate license plates established under s. 320.08058(3), F.S., license plates

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<sup>9</sup> Section 320.08053(3)(a), F.S.

<sup>10</sup> Section 320.08053(3)(b), F.S.

<sup>11</sup> Section 320.08056(10)(a), F.S.

<sup>12</sup> Section 320.08062, F.S.; Such fees may be used to pay for the cost of this required audit or report. See s. 320.08056(10)(a), F.S.

<sup>13</sup> Section 320.08056(10)(a), F.S.

<sup>14</sup> Section 320.08056(11), F.S.

<sup>15</sup> Section 320.08056(8)(a), F.S.

<sup>16</sup> Section 320.08056(8)(b), F.S.

of institutions in and entities of the State University System, specialty license plates that have statutory eligibility limitations for purchase, specialty license plates for which annual use fees are distributed by a foundation for student and teacher leadership programs and teacher recruitment and retention, or Florida professional sports team license plates established under s. 320.08058(9), F.S.<sup>17</sup>

### **III. Effect of Proposed Changes:**

The bill amends s. 320.08058, F.S., to authorize the DHSMV to create a new specialty license plate for Save Coastal Wildlife. The annual use fee for the plate is \$25. The plate must bear the colors and design approved by the DHSMV, with the word “Florida” at the top of the plate and the words “Save Coastal Wildlife” at the bottom of the plate.

Proceeds of the sale of the Save Coastal Wildlife specialty license plate will be distributed to the Zoo Miami Foundation, Inc. The organization may use up to 10 percent of the proceeds for marketing and promotion of the plate.

Thereafter, the annual use fees from the sale of the plate will be distributed as follows:

- 85 percent must be used to maintain programs at the Marjory Stoneman Douglas Institute at Zoo Miami which conserve imperiled coastal wildlife and ecosystems.
- 15 percent must be distributed to eligible Florida-based nonprofit organizations to conserve native-imperiled coastal wildlife and ecosystems.

The bill takes effect October 1, 2025.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

#### **D. State Tax or Fee Increases:**

None.

#### **E. Other Constitutional Issues:**

None.

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<sup>17</sup> Chapter 2020-181, s. 7, Laws of Fla.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

If the specialty license plate is produced, the Zoo Miami Foundation, Inc., will receive the annual use fees associated with sales of the plate.

**C. Government Sector Impact:**

The estimated fiscal impact associated with the bill is \$8,280.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill amends section 320.08058 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Transportation March 25, 2025:**

The committee substitute:

- Authorizes the Zoo Miami Foundation, Inc., to use up to 10 percent of the funds from the sale of the plate for administrative and marketing costs.
- Removes the provision authorizing the Auditor General to examine certain records (s. 320.08062, F.S., already provides that all organizations that receive annual use proceeds from specialty license plates are subject to specified audit and attestation requirements).

**B. Amendments:**

None.