

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 2654

SPONSOR: Transportation Committee and Senator Hill

SUBJECT: Firefighter License Plate

DATE: April 15, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Davis	Meyer	TR	Fav/CS
2.	_____	_____	FT	_____
3.	_____	_____	ATD	_____
4.	_____	_____	AP	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This CS amends s. 320.089, F.S., to create a section dedicated to limited-issue specialty license plates, and directs the Department of Highway Safety and Motor Vehicles (DHSMV) to issue a limited-issue Professional Firefighter’s license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for these new specialty license plates to be distributed equally to Shands Burn Center at the University of Florida in Alachua County, Orlando Regional Medical Center Burn Unit in Orange County, University of Miami-Jackson Memorial Burn Center in Miami-Dade County, and Tampa General Hospital Regional Burn Center in Hillsborough County. The funds must be used specifically for the burn center or unit at each of those health care facilities.

Only a resident of Florida who is an active or retired professional firefighter, the spouse of such a firefighter, or the un-remarried surviving spouse of a professional firefighter is eligible to purchase the plate. Each application for this plate must be accompanied by proof of status, including, but not limited to, a current identification and badge or a letter from the professional firefighters' association of which the professional firefighter is or was a member.

Also, this CS directs DHSMV to issue a Family First specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate. The annual fees will be distributed to Family First to fund programs, projects, seminars, events, and family resources that promote principles for building marriages, guiding parents and single parents, and raising children.

This CS substantially amends sections 320.08056, 320.08058 and 320.089 of the Florida Statutes.

II. Present Situation:

Specialty license plates are available to any owner or lessee of a motor vehicle who is willing to pay an annual use fee for the privilege. Annual use fees ranging from \$15 to \$25, paid in addition to required license taxes and service fees, are distributed to an organization or organization in support of a particular cause or charity signified in the plate's design and designated in statute. The Legislature may create a specialty license plate under its own initiative or it can do so at the request of an organization.

Section 320.08053, F.S., provides an organization seeking authorization to establish a specialty license plate must submit the following:

- A request for the particular license plate with a description of the proposed plate in general terms.
- The results of a scientific sample survey of Florida motor vehicle owners that indicates at least 15,000 motor vehicle owners intend to purchase the proposed specialty license plate at the increased costs.
- An application fee, not to exceed \$60,000, to defray DHSMV's cost for reviewing the application and developing the specialty license plate, if authorized.
- A marketing strategy outlining both the short and long term marketing plans and a financial analysis outlining the anticipated revenue and the planned expenditures of the requested specialty license plate.

The required documentation and fees must be submitted at least 90 days before the convening of the next regular session of the Florida Legislature. If a specialty license plate is approved by law, the organization must submit a proposed art design for the specialty plate to DHSMV no later than 60 days after the act becomes a law. If the specialty license plate is not approved by the Legislature, then the application fee will be refunded to the requesting organization.

Section 320.08056, F.S., provides DHSMV is responsible for developing the specialty license plates and must begin production and distribution within one year after approval of the specialty license plate by the Legislature. Specialty license plates must bear the design required by law for the appropriate specialty plate, and the designs and colors must be approved by DHSMV. In addition, the specialty license plate must bear the imprint of numerals from 1 to 999, inclusive, capital letters "A" through "Z", or a combination thereof. The word "Florida" must appear at either the top or the bottom of the plate, depending upon the design and may bear an appropriate slogan.

The Department of Highway Safety and Motor Vehicles is authorized to annually retain the first proceeds derived from the annual use fees collected in an amount sufficient to defray each specialty plates pro rata share of DHSMV's costs directly related to issuing the specialty license plate.

The Department of Highway Safety and Motor Vehicles must discontinue the issuance of an approved specialty plate if less than eight thousands plates (including annual renewals) are issued by the end of the fifth year or during any subsequent 5-year period. The Department of Highway Safety and Motor Vehicles is authorized to discontinue the issuance and distribution of specialty plates if the organization no longer exists or if the organization has stopped providing services authorized to be funded.

Specialty license plates are distinguished from other types of specialized license plates by the fact that anyone may obtain one by simply paying an additional annual use fee, and by the fact that annual use fees are dedicated to supporting a particular cause or organization. The Legislature has also created a number of specialized license plates that are not specialty plates (s. 320.089, F.S.). These plates differ because the purchaser must be eligible by his or her status to obtain the plate, and because ownership of these plates does not require payment of an annual use fee that is distributed for charitable purposes. These types of “status plates” are referred to in the statutes as special plates, and include: the Governor and Legislator plates; the amateur radio operators plate; the disabled veterans plate; the street rods plate; the National Guard, Pearl Harbor Survivor, Combat-wounded veteran and U.S. Reserve plates; and the Medal of Honor plate.

The statutes provide for all specialty plates within ss. 320.08056 and 320.08058, F.S., and provide for a uniform procedure for approval and authorization in s. 320.08053, F.S. By comparison, other specialized plates (the status or special plates) are created on an ad hoc basis by the Legislature, and the statutes provide for them independently of one another in separate sections. It is unnecessary for a proponent of a special plate to obtain prior approval before seeking Legislative action.

Annual use fees or any interest earned from those fees may not be used for commercial or for-profit activities, or for general administrative expenses (except as specifically authorized or to pay the cost of the audit or report required to ensure the proceeds are used as authorized).

Section 320.08056(4)(kk), F.S., creates the Florida Firefighters license plate and provides for a \$20 annual use fee. The proceeds from the use fee are distributed to Florida Firefighters Charities, a 501(c)(3) nonprofit corporation. Florida Firefighters Charities distribute the moneys according to its articles of incorporation. Currently, Florida has the Florida Firefighters license plates to acknowledge firefighters, all available to the general public.

III. Effect of Proposed Changes:

This CS amends s. 320.089, F.S., to create a section dedicated to limited-issue specialty license plates, and directs the DHSMV to issue a limited-issue Professional Firefighters license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for these new specialty license plates to be distributed equally to Shands Burn Center at the University of Florida in Alachua County, Orlando Regional Medical Center Burn Unit in Orange County, University of Miami-Jackson Memorial Burn Center in Miami-Dade County, and Tampa General Hospital Regional Burn Center in Hillsborough County. The funds must be used specifically for the burn center or unit at each of those health care facilities.

Only a resident of Florida who is an active or retired professional firefighter, the spouse of such a firefighter, or the un-remarried surviving spouse of a professional firefighter is eligible to purchase the plate. Each application for this plate must be accompanied by proof of status, including, but not limited to, a current identification and badge or a letter from the professional firefighters' association of which the professional firefighter is or was a member.

Currently, other license plates established by s. 320.089, F.S., do not incur additional annual fees. However, the Professional Firefighters license plate would collect an annual fee, as do all specialty license plates covered under s. 320.08058, F.S.

Also, this CS directs DHSMV to issue a Family First specialty license plate. In addition to applicable motor vehicle registration taxes and fees, a \$25 annual use fee will be charged for this new specialty license plate. The annual fees will be distributed to Family First to fund programs, projects, seminars, events, and family resources that promote principles for building marriages, guiding parents and single parents, and raising children.

Family First will retain all revenues collected from the sale of the plate until all start-up costs for developing and establishing the plate have been recovered. Up to 5 percent of the funds received by Family First may be expended for administrative costs directly associated with the operations of Family First. Up to 20 percent of the funds received by Family First may be expended for promotion and marketing of the license plate. Family First may expend all remaining funds for programs.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Persons who apply for the Professional Firefighter's license plate would have to pay \$25 for the annual use fee.

Also, persons who apply for the Family First license plate would have to pay \$25 for the annual use fee.

C. Government Sector Impact:

The Department estimates it will incur \$59,460 in costs associated with the development and issuance of the Professional Firefighter limited-issue specialty license plates. More specifically, these costs include \$15,000 in personnel costs, \$7560 in computer programming costs and \$36,900 in license plate costs. Specialty license plates cost DHSMV \$2.46 each under the current contract and require a minimum order of 15,000 plates.

Current law provides an application fee, not to exceed \$60,000, be paid to DHSMV to defray the administrative costs of reviewing and developing the new Family First specialty license plate. The Department of Highway Safety and Motor Vehicles has indicated \$60,000 has been collected from the applicant to defray these costs. This fee will be refunded if the license plate is not approved by the Legislature. Any additional cost of issuing the license plate will be retained from the first proceeds derived from the annual use fees as provided in s. 320.08056(7), F.S.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.