

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.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 1090

INTRODUCER: Senator Altman

SUBJECT: Motor Vehicles

DATE: March 9, 2013

REVISED: _____

| ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|--------------------|----------------|-----------|------------------|
| 1. <u>Everette</u> | <u>Eichin</u> | <u>TR</u> | Favorable |
| 2. _____ | _____ | <u>RC</u> | _____ |
| 3. _____ | _____ | <u>AP</u> | _____ |
| 4. _____ | _____ | _____ | _____ |
| 5. _____ | _____ | _____ | _____ |
| 6. _____ | _____ | _____ | _____ |

I. Summary:

SB 1090 authorizes the Department of Highway Safety and Motor Vehicles (DHSMV or department) to collect a voluntary contribution of \$1 through motor vehicle registration and driver license fees; initial, renewal, or identification card fees for the Auto Club Group Traffic Safety Foundation, Inc.

This bill substantially amends ss. 320.02 and 322.081 of the Florida Statutes.

II. Present Situation:

Auto Club Group Traffic Safety Foundation, Inc.

The Tampa-based AAA Auto Club South and Dearborn, Michigan-based, The Auto Club Group have combined operations to become “The Auto Club South Traffic Safety Foundation,”¹ a 501(c)(3) non-profit organization created to produce a significant and continuous reduction in traffic crashes, injuries and deaths in the communities. For more than a century, AAA has developed and provided traffic safety programs that play an important role in communities by protecting and saving lives of drivers, passengers, bicyclists and pedestrians of all ages. AAA Auto Club Group Traffic Safety Foundation will advance these efforts by:

- Enabling additional funding from non-AAA sources;
- Increasing public awareness of the importance of travel safety;
- Developing and coordinating programs to improve driving skills;

¹ <http://autoclubsouth.aaa.com/newsandsafety/media.aspx>- related links (AAA Foundation for Traffic Safety) - last visited 3/11/2-13

- Designing and implementing safety programs and campaigns;
- Conducting and participating in exhibitions, contests, programs and safety activities with schools, police departments and other groups; and
- Serving as a resource to the media and communities for the dissemination of safety information.

Voluntary Contributions

The voluntary contributions process provides the opportunity for citizens to make a donation by checking a box on a form when registering a vehicle or renewing a registration, as well as applying for a new replacement or driver license.²

Contributions are distributed to check-off organizations as requested by motor vehicle and driver license applicants.

An organization that desires to receive a voluntary contribution must be specifically authorized by Florida Statutes. Section 320.023, F.S., establishes requirements for organizations seeking to establish a voluntary contribution on motor vehicle registration application forms, and s. 322.081, F.S., establishes similar requirements for driver license applications. Both sections require the following:

- A request for the voluntary contribution being sought, describing the voluntary contribution in general terms;
- An application fee, not to exceed \$10,000 to defray the department's cost for reviewing the application and developing the voluntary contribution check off, if authorized. State funds may not be used to pay the application fee; and
- A marketing strategy outlining short-term and long-term marketing plans for the contribution and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the contributions.

This information must be submitted to DHSMV at least 90 days before the convening of the next regular session of the Legislature.

III. Effect of Proposed Changes:

Section 1 of the bill amends s. 320.02(15), F.S., authorizing the department to include the Auto Club Group Traffic Safety Foundation, Inc., on the motor vehicle registration and renewal form, allowing collection of a \$1 voluntary contribution to the registration fee to be used to improve traffic safety culture in communities through effective outreach, education, and activities in the state.

Section 2 of the bill amends s. 322.08(7), F.S., authorizing the department to collect a \$1 voluntary contribution through driver license fees; initial, renewal, or identification card fees to

² Currently, Section 320.02(8)(14) and (15), F.S.; Section 320.08047, F.S., and Section 328.72(11) and (16), F.S., provide motor vehicle registration applicants with 24 options for voluntary contributions. Section 322.08(7), F.S., provides driver license applicants with 17 options for voluntary contributions.

the Auto Club Group Safety Foundation, Inc, to improve traffic safety culture in communities through effective outreach, education, and activities in the state.

Under ss. 320.023 and 322.081, F.S., there is currently a moratorium on the establishment of any new voluntary contributions on motor vehicle registration application and driver license application forms until July 1, 2013.

The bill has an effective date of July 1, 2013.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

C. Government Sector Impact:

| | Amount Year 1 <u>FY 2013-2014</u> | Amount Year 2 <u>FY 2014-2015</u> | Amount Year 3 <u>FY 2015-2016</u> |
|---|---|---|---|
| 1. Non-Recurring or First Year Start Up Effects: | | | |
| <u>REVENUES:</u> | | | |
| Highway Safety Operating Trust Fund: | | | |
| Application Fee | <u>\$ 20,000</u> | <u>\$ 0</u> | <u>\$ 0</u> |

The above amount reflects the \$20,000 application fee required to be paid by the Auto Club Group Traffic Safety Foundation, Inc, a nonprofit organization, for the motor vehicle and driver's license application.

EXPENDITURES:

Highway Safety Operating Trust Fund:

| | | | |
|---------------------|-----------------|-------------|-------------|
| Contracted Services | <u>\$65,600</u> | <u>\$ 0</u> | <u>\$ 0</u> |
|---------------------|-----------------|-------------|-------------|

| | | | |
|---------------------|-----------------|-------------|-------------|
| Total Expenditures: | <u>\$65,600</u> | <u>\$ 0</u> | <u>\$ 0</u> |
|---------------------|-----------------|-------------|-------------|

The amount above reflects the programming cost to develop the new application forms.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

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

None.

B. Amendments:

None.