

**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 Committee on Transportation

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BILL: SB 1060

INTRODUCER: Senator Rader

SUBJECT: Specialty License Plates

DATE: March 21, 2017

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jones	Miller	TR	<b>Favorable</b>
2.			ATD	
3.			AP	

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**I. Summary:**

SB 1060 directs the Department of Highway Safety and Motor Vehicles (DHSMV) to develop a Florida State Beekeepers Association specialty license plate, establishes a \$25 annual use fee for the plate, and provides the distribution and use of fees collected from the sale of the plate.

The DHSMV estimates programming and implementation will cost \$7,245. The DHSMV is authorized to retain revenues from the first proceeds of sales to defray departmental costs.

The bill takes effect October 1, 2017.

**II. Present Situation:**

**Specialty License Plates**

Presently, there are over 120 specialty license plates available for purchase in Florida.<sup>1</sup> 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>2</sup> The annual use fees are distributed to an organization or organizations in support of a particular cause or charity signified in the plate's design and designated in statute.<sup>3</sup>

In order to establish a specialty license plate, s. 320.08053, F.S., requires the plate must first be adopted into statute. Upon becoming law:

- Within 60 days, the organization must submit an art design for the plate, in a medium prescribed by the DHSMV;

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<sup>1</sup> A list of Florida's specialty license plates is available on the DHSMV website at <http://www.flhsmv.gov/dmv/specialtytags/> (last visited Feb. 14, 2017).

<sup>2</sup> Section 320.08056, F.S.

<sup>3</sup> Section 320.08058, F.S.

- Within 120 days, the DHSMV must establish a method to issue pre-sale vouchers for the approved specialty license plate; and
- Within 24 months after the pre-sale vouchers are established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin.

If, at the end of the 24-month pre-sale period, the minimum sales requirement has not been met, the DHSMV will discontinue the plate and issuance of the pre-sale voucher. 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>4</sup>

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>5</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>6</sup>

### ***DHSMV Costs Defrayed***

The DHSMV retains sufficient annual use fees, from the sale of the specialty plates, to defray its costs for inventory, distribution, and other direct costs associated with the specialty license plate program. The remainder of the proceeds collected are distributed as provided by law.<sup>7</sup>

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

The DHSMV must discontinue the issuance of an approved specialty license plate if the number of valid specialty plate registrations falls below 1,000 plates for at least 12 consecutive months. A warning letter is mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations is below 1,000 plates. Collegiate plates are exempt from the minimum plate requirement.<sup>8</sup> The specialty license plate must also be discontinued if the organization no longer exists, stops providing services that are authorized to be funded from the annual use fee proceeds, or pursuant to an organizational recipient's request.<sup>9</sup>

### **Florida State Beekeepers Association<sup>10</sup>**

The Florida State Beekeepers Association, Inc. is a Florida nonprofit<sup>11</sup> with a mission to provide resources for the improvement of beekeeping, to promote the development of practical beekeeping methods in Florida, and to act in the interest of Florida beekeepers in state and

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<sup>4</sup> Section 320.08053(2)(b), F.S.

<sup>5</sup> Section 320.08056(10)(a), F.S.

<sup>6</sup> Section 320.08062, F.S.

<sup>7</sup> Section 320.08056(7), F.S.

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

<sup>9</sup> Section 320.08056(8)(b), F.S.

<sup>10</sup> See Florida State Beekeepers Association website, <http://www.floridabeekeepers.org/> (last visited Mar. 11, 2017).

<sup>11</sup> According to corporate filings with the Department of State, Sunbiz.org, The Association has been incorporated with the state since 1971. Available at <http://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=FLORIDASTATEBEEKEEPERSASSOCIAT%207212370&aggregateId=domnp-721237-2d1c24d7-c677-4df4-aedf-> (last visited Mar. 15, 2017).

national beekeeping affairs. According to the association's website, it hopes to raise funds to bring a world class Honey Bee Research and Education Lab to the University of Florida to help address issues involving honeybees today, including honeybee health, loss of colonies, loss of habitat, and environment stress.

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

The bill directs the DHSMV to create a Florida State Beekeepers Association specialty license plate, with an annual fee of \$25 to be distributed to the Florida State Beekeepers Association. 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 the Bees" at the bottom of the plate.

The Association may use up to 18 percent of the annual fees to reimburse administrative costs, startup costs, and costs incurred in the development and approval process of the plate, and promotion and marketing costs. Vendors associated with the administrative costs must be selected by competitive bid.

The remaining funds are used to raise awareness of the importance of beekeeping to Florida agriculture by funding honeybee research, education, outreach, and husbandry. The bill provides that the Association's board of managers must approve and is accountable for all such expenditures.

The bill takes effect October 1, 2017.

### **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:**

Individuals who choose to purchase a Florida State Beekeepers Association specialty license plate will pay a \$25 annual use fee in addition to appropriate license taxes and

fees. The Florida State Beekeepers Association will receive revenue from each Florida State Beekeepers Association plate purchase.

**C. Government Sector Impact:**

The DHSMV estimates programming and implementation of a standard specialty license plate will cost \$7,245.<sup>12</sup> The DHSMV is authorized to retain revenues from the first proceeds of specialty license plate sales to defray departmental expenditures related to the specialty license plate program.<sup>13</sup>

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 320.08056 and 320.08058.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

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

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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<sup>12</sup> Email from the DHSMV (Feb. 14, 2017) (on file with the Senate Committee on Transportation).

<sup>13</sup> Section 320.08056(7), F.S.