

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 Military and Veterans Affairs, Space, and Domestic Security

BILL: CS/SB 1734

INTRODUCER: Military and Veterans Affairs, Space, and Domestic Security Committee and Senator Rouson

SUBJECT: Special License Plates

DATE: April 4, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sanders</u>	<u>Ryon</u>	<u>MS</u>	<u>Fav/CS</u>
2.	_____	_____	<u>ATD</u>	_____
3.	_____	_____	<u>AP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1734 creates two special military license plates for recipients of the Bronze Star Medal and recipients of Bronze Star Medal with a “V” device for valor.

Revenue generated from the sale of this license plate will be deposited into the Grants and Donations Trust Fund and the State Homes for Veterans Trust Fund.

II. Present Situation:

Current law provides for several types of license plates. In addition to plates issued for governmental or business purposes, the Florida Department of Highway Safety and Motor Vehicles (DHSMV) offers four basic types of plates to the general public:

- Standard plates;
- Specialty license plates;
- Personalized prestige license plates; and
- Special use license plates.

Certain members of the general public may be eligible to apply for special use license plates if they are able to document their eligibility pursuant to various sections of ch. 320, F.S. Special use license plates primarily include special military license plates as well as plates for the disabled.

Currently, there are 21 special military license plates authorized in s. 320.089, F.S., available to military service members or veterans for the following types of service:

- Veteran of the United States Armed Forces;
- Active or retired member of the Florida National Guard;
- Survivor of the attack on Pearl Harbor;
- Recipient of the Purple Heart Medal;
- Active or retired member of any branch of the United States Armed Forces Reserve;
- Recipient of the Combat Infantry Badge;
- Recipient of the Combat Medical Badge;
- Recipient of the Combat Action Badge;
- Recipient of the Combat Action Ribbon;
- Recipient of the Air Force Combat Medal;
- Recipient of the Distinguished Flying Cross;
- Former Prisoner of War;
- Veteran of the Korean War;
- Veteran of the Vietnam War;
- Service member or veteran of Operation Desert Shield;
- Service member or veteran of Operation Desert Storm;
- Service member or veteran of Operation Enduring Freedom;
- Service member or veteran of Operation Iraqi Freedom;
- Veteran of World War II;
- Navy Submariner; and
- Woman Veteran.

Special military license plates authorized under s. 320.089, F.S., are stamped with words consistent with the type of special plate issued. For example, a special plate issued to a current or former member of the Florida National Guard is stamped with the words “National Guard.” Additionally, a likeness of the related campaign medal or badge appears on the plate.¹

Applicants for special military license plates under s. 320.089, F.S., are required to pay the annual license tax in s. 320.08, F.S., with the exception of certain disabled veterans who qualify for the Pearl Harbor, Purple Heart, or Prisoner of War plate, to whom such plates are issued at no cost.²

With the exception of Woman Veteran plates, the first \$100,000 of the general revenue generated annually from the sale of special use military plates is deposited into the Grants and Donations Trust Fund under the Veterans’ Nursing Homes of Florida Act, as described in s. 296.38(2), F.S. Additional general revenue is deposited into the State Homes for Veterans Trust Fund and used to construct, operate, and maintain domiciliary and nursing homes for veterans.³

¹ For plate samples, see Department of Highway Safety and Motor Vehicles, *Military License Plates*, available at <http://www.flhsmv.gov/specialtytags/miltags.html> (last visited April 4, 2017).

² Section 320.089(1)(c) and (2)(a), F.S.

³ Section 320.089(1)(b), F.S.

Bronze Star Medal

The Bronze Star Medal was established on February 4, 1944, to recognize those who served after December 6, 1941, in any capacity in or with the Armed Forces of the United States or a friendly foreign nation.⁴ The Bronze Star Medal is awarded to a person who distinguished himself or herself by heroic or meritorious service, not involving participation in aerial flight, in connection with military operations against an armed enemy; or while engaged in military operations involving conflict with an opposing armed force in which the United States is not a belligerent party.⁵ When the Bronze Star Medal is awarded for valor, the “V” device⁶ is authorized.

Recipients of the Bronze Star Medal must have been receiving imminent danger pay while serving in a geographic area authorized for special pay or as a result of those events.⁷ In order of precedence, the Department of Defense (DoD) places the Bronze Star Medal seventh amongst DoD wide military decorations and awards following the Distinguished Flying Cross and preceding the Purple Heart.⁸ Since its inception, the Bronze Star Medal has been awarded to over 1.3 million recipients.⁹ Of those recipients, more than 176,000 were awarded the Bronze Star Medal with a “V” device for valor.¹⁰

III. Effect of Proposed Changes:

The bill amends s. 320.089, F.S., to direct the Department of Highway Safety Motor Vehicles (DHSMV) to create two special license plates for recipients of the Bronze Star Medal and recipients of the Bronze Star Medal with the “V” device for valor. One plate will be stamped with the words “Bronze Star” and a likeness of the Bronze Star Medal followed by the serial number of the license plate. The other plate will be stamped with the words “Bronze Star” and a likeness of the Bronze Star medal with the “V” device emblem followed by the serial number of the license plate.

To receive one of the Bronze Star special license plates, an individual must submit an application for the plate to the DHSMV, provide proof that he or she is a Bronze Star Medal or Bronze Star Medal with the “V” device recipient, and pay the appropriate license tax as provided in s. 320.08, F.S. Revenue generated from the sale of the Bronze Star plates will be deposited in the Grants and Donations Trust Fund and the State Homes for Veterans Trust Fund.

The bill also makes technical changes throughout s. 320.089, F.S., to clarify existing provisions relating to special military license plates.

⁴ Department of the Army, *Military Awards, Army Regulation 600-8-22*, 42 (Dec. 11, 2006), available at http://www.apd.army.mil/pdf/r600_8_22.pdf (last visited March 20, 2017).

⁵ Id.

⁶ The “V” device is a bronze block letter worn to denote participation in acts of heroism involving conflict with an armed enemy. *Supra* note 4 at 75.

⁷ 10 U.S.C. 1133.

⁸ Department of Defense, *DoD Manual 1348.33, Vol. 3* (December 21, 2016).

⁹ U.S Army Human Resources Command, *Awards and Decorations Statistics by Conflict* (Dec. 31, 2016), available at <https://www.hrc.army.mil/content/Awards%20and%20Decorations%20Statistics%20by%20Conflict> (last visited March 28, 2017).

¹⁰ Id.

The bill takes effect July 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 receive one of the two Bronze Star Medal license plates will pay the same tax and fees as if he or she were issued a standard license plate.

C. Government Sector Impact:

The DHSMV will incur initial programming and production costs to create the Bronze Star license plates. The DHSMV estimates that 210 hours will be required for programming and implementation at an estimated cost of \$7,410 in FTE resources.¹¹

The bill may have a positive impact on the Grants and Donations Trust Fund and the State Homes for Veterans Trust Fund from sales of the new special license plate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 320.089 of the Florida Statutes.

¹¹ DHSMV, *SB 1734 Agency Bill Analysis* (March 23, 2017) (on file with the Senate Committee on Military and Veterans Affairs, Space, and Domestic Security).

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Military and Veterans Affairs, Space, and Domestic Security on April 3, 2017:

The CS makes a technical change relating to the Bronze Star “V” device terminology by adopting terminology referenced in U.S. Department of Defense guidance.¹²

- B. **Amendments:**

None.

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

¹² See supra note 8.