

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 913 Specialty License Plates
SPONSOR(S): Henry
TIED BILLS: IDEN./SIM. **BILLS:** SB 752

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Transportation & Infrastructure Subcommittee	12 Y, 0 N	Roth	Vickers
2) Transportation & Tourism Appropriations Subcommittee	12 Y, 0 N	Cobb	Davis
3) Government Accountability Committee			

SUMMARY ANALYSIS

The bill directs the Department of Highway Safety and Motor Vehicles (DHSMV) to develop the Childhood Cancer Awareness specialty license plate with an annual use fee of \$25.

The annual use fee is distributed to No Kid Should Know Cancer, Inc., to help support families who have a child recently diagnosed with cancer, hold events that raise awareness about childhood cancer, and support clinical trials that work to provide better treatment plans for children diagnosed with cancer.

According to DHSMV, the bill will have a negative, but insignificant fiscal impact to state expenditures.

The bill has an effective date of October 1, 2018.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Specialty License Plates in General

The first Florida specialty license plates were enacted in 1986 and included the creation of the Challenger plate and ten Florida collegiate plates. Today, there are over 120 specialty license plates available to any owner or lessee of a motor vehicle who is willing to pay the additional use fee for the privilege, typically \$25 annually.¹ The collected fees are distributed by the Department of Highway Safety and Motor Vehicles (DHSMV) to statutorily designated organizations in support of a particular cause or charity. A vehicle registered under the International Registration Plan, a commercial truck required to display two license plates, or a truck tractor are not eligible for specialty license plates.²

Only the Legislature may create new specialty license plates. If a specialty license plate is created by law, the following requirements must then be met:

- Within 60 days, the organization must submit an art design, in a medium prescribed by DHSMV.³
- Within 120 days, DHSMV must establish a method to issue a specialty license plate voucher to allow for the pre-sale of the specialty plate.⁴
- Within 24 months after the voucher is established, the organization must obtain a minimum of 1,000 voucher sales before manufacturing may begin. If this requirement is not met, the plate is deauthorized and DHSMV must discontinue development of the plate and issuance of the vouchers.⁵

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 falls below 1,000 plates (this provision does not apply to collegiate license plates).⁶

Organizations in receipt of specialty license plate revenue must adhere to certain accountability requirements found in statute. These requirements include an annual attestation document affirming, under penalty of perjury, that funds received have been spent in accordance with applicable statutes.⁷ 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.⁸

Childhood Cancer Awareness

No Kid Should Know Cancer Inc., is a Florida not-for-profit corporation that exists to bring awareness to childhood cancer and help families who have been effected by childhood cancer financially and

¹ Florida Department of Highway Safety and Motor Vehicles, *Specialty License Plates Index*, <http://www.flhsmv.gov/dmv/specialtytags/> (last visited January 5, 2018).

² Section 320.08056(2), F.S.

³ Section 320.08053(1), F.S.

⁴ Section 320.08053(2)(a), F.S.

⁵ Section 320.08053(2)(b), F.S.

⁶ Section 320.08056 (8)(a), F.S.

⁷ Section 320.08062, F. S.

⁸ Section 320.08056(10)(a), F.S.

spiritually. Additionally, the corporation sponsors and hosts events that benefit clinical trials and improved treatment plans.⁹

Proposed Changes

The bill directs DHSMV to develop the Childhood Cancer Awareness specialty license plate with an annual use fee of \$25, bearing the colors and design approved by DHSMV. The new license plates will display the word “Florida” at the top of the plate and “Cure Childhood Cancer” at the bottom of the plate.

The annual use fee is distributed to No Kid Should Know Cancer, Inc., to help support families who have a child recently diagnosed with cancer, hold events that raise awareness about childhood cancer, and support clinical trials that work to provide better treatment plans for children diagnosed with cancer. No Kid Should Know Cancer, Inc. may use up to 10 percent of the proceeds for administrative costs and for the marketing of the plate.

B. SECTION DIRECTORY:

Section 1: Amends s. 320.08056, F.S., relating to specialty license plates.

Section 2: Amends s. 320.08058, F.S., relating to specialty license plates.

Section 3: Provides an effective date of October 1, 2018.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

DHSMV estimates that 216 hours, or approximately \$7,680 in FTE and contracted resources will be required for programming and implementation of the specialty license plate.¹⁰ This cost can be absorbed within existing resources.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Revenue from the sale of the Childhood Cancer Awareness specialty license plate will benefit No Kid Should Know Cancer, Inc.

⁹ Electronic Articles of Incorporation for No Kid Should Know Cancer, Inc., available at <http://search.sunbiz.org/Inquiry/CorporationSearch/ConvertTiffToPDF?storagePath=COR%5C2017%5C0310%5C10507351.tif&documentNumber=N17000002637> (last visited January 5, 2018).

¹⁰ Florida Department of Highway Safety and Motor Vehicles, *Agency Analysis of 2018 House Bill 913*, p. 4 (December 13, 2017).

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES