

**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 Appropriations Subcommittee on Transportation, Tourism, and Economic Development

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BILL: PCS/SB 7092 (248392)

INTRODUCER: Appropriations Subcommittee on Transportation, Tourism, and Economic Development; and Infrastructure and Security Committee

SUBJECT: Fees/Department of Highway Safety and Motor Vehicles

DATE: April 18, 2019

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
	Proctor	Miller		<b>IS Submitted as Committee Bill</b>
1.	Wells	Hrdlicka	ATD	<b>Recommend: Fav/CS</b>
2.			AP	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

PCS/SB 7092 allows the Department of Highway Safety and Motor Vehicles (DHSMV) to collect an initial and annual renewal fee for apportionable vehicles of \$28.00 for a validation sticker.

SB 7092 takes effect on the same date that SB 7090 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

Article VII, s. 19 of the Florida Constitution requires the imposition, authorization, or raising of a state tax or fee be contained in a separate bill that contains no other subject and be approved by two-thirds of the membership of each house of the Legislature. As such, Art. VII, s. 19 of the Florida Constitution may apply if the provisions in the bill are interpreted to be new fees.

**II. Present Situation:**

The present situation for each issue in the bill is discussed below in conjunction with the Effect of the Proposed Changes.

### III. Effect of Proposed Changes:

#### Issuance of Apportionable Vehicle Plates

##### *Present Situation*

Florida law requires all apportionable vehicles domiciled in Florida to be registered in accordance with the IRP and to display required license plates.<sup>1</sup>

Section 320.06, F.S., requires registration license plates, which bear a graphic symbol and alphanumeric system of identification, to be issued for a 10-year period. However, “Apportioned” license plates issued to vehicles registered under the IRP are issued annually.<sup>2</sup> Apportioned vehicles are also issued an annual cab card that denotes the declared gross vehicle weight for each apportioned jurisdiction where the vehicle is authorized to operate.<sup>3</sup>

Section 320.0607, F.S., requires an applicant to pay a fee of \$28 upon the issuance of an original license plate (whether every 10 years or annually for apportioned vehicles), which is deposited into the Highway Safety Operating Trust Fund.

##### *Effect of Proposed Changes*

SB 7090 amends s. 320.06, F.S., to require that upon implementation of a new operating system for apportioned vehicle registration, a vehicle registered in accordance with the IRP will be issued a license plate for a five-year period, an annual cab card denoting the declared gross vehicle weight, and an annual validation sticker showing the month and year of expiration.

The license plate and validation sticker will be issued based on the applicant’s appropriate renewal period. The registration period for an apportionable vehicle is 12 months and the validation sticker is valid for 12 months. The bill provides that the fee must be deposited into the Highway Safety Operating Trust Fund.

Currently, applicants must annually pay a fee of \$28. This bill allows the DHSMV to charge and collect the \$28 fee for the initial validation sticker and any renewed validation sticker (**section 2**).

##### **Effective Date**

The bill takes effect on the same date that SB 7090 or similar legislation takes effect, if such legislation is adopted in the same legislative session or an extension thereof and becomes a law.

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<sup>1</sup> Section 320.0715(1), F.S.

<sup>2</sup> Section 320.06(1)(b)1., F.S.

<sup>3</sup> See IRP, Inc., *State of Florida Apportioned Cab Card Sample*,

[http://c.ymcdn.com/sites/www.irponline.org/resource/resmgr/cab\\_cards/fl\\_cc\\_sample.pdf](http://c.ymcdn.com/sites/www.irponline.org/resource/resmgr/cab_cards/fl_cc_sample.pdf) (last visited April 9, 2019).

**IV. Constitutional Issues:**

## A. Municipality/County Mandates Restrictions:

None.

## B. Public Records/Open Meetings Issues:

None.

## C. Trust Funds Restrictions:

None.

## D. State Tax or Fee Increases:

Article VII, s. 19 of the Florida Constitution requires the imposition, authorization, or raising of a state tax or fee be contained in a separate bill that contains no other subject and be approved by two-thirds of the membership of each house of the Legislature. As such, Art. VII, s. 19 of the Florida Constitution may apply if the fee provisions in the bill are interpreted to be new fees.

## E. Other Constitutional Issues:

None.

**V. Fiscal Impact Statement:**

## A. Tax/Fee Issues:

None.

## B. Private Sector Impact:

The bill does not increase the current fee for apportioned vehicles.

## C. Government Sector Impact:

The bill is anticipated to have a net zero impact to the state.

The bill allows the DHSMV to charge and collect the \$28 annual fee for deposit into the Highway Safety Operating Trust Fund on the initial validation sticker and each renewal validation sticker. Under existing statute, the \$28 fee is paid upon initial issuance and annual reissuance of the "Apportioned" license plates issued to vehicles registered under the IRP.<sup>4</sup>

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<sup>4</sup> Section 320.06(1)(b)1., F.S.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

The bill substantially amends the section 320.06 of the Florida Statutes.

**IX. Additional Information:**

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

**Recommended CS by Appropriations Subcommittee on Transportation, Tourism, and Economic Development on April 16, 2019:**

The committee substitute removes the sections of the bill related to costs to obtain an order granting a subpoena and costs related to expedited shipping. These provisions have been amended and incorporated into SB 7090.

- B. **Amendments:**

**SPB by Infrastructure and Security on April 2, 2019:**

The SPB was amended to incorporate the linked bill number of SB 7090.