

Committee Substitute for Senate Bill No. 1900

An act relating to license plates; amending s. 320.08056, F.S.; discontinuing the annual use fee for the Girl Scout license plate; increasing the annual use fee for the Sea Turtle license plate; increasing the annual use fee for the Florida Sheriffs Youth Ranches license plate; establishing annual use fees for the Florida NASCAR license plate, the Corrections Foundation license plate, the Protect Florida Springs license plate, the Trees Are Cool license plate, and the Support Our Troops license plate; authorizing the placement of a sponsoring organization's Internet domain name on a specialty license plate; prohibiting annual use fees from the sale of specialty license plates, or the interest earned thereon, from being used for the purpose of marketing to, or lobbying, entertaining, or rewarding, an employee of a governmental agency that is responsible for the sale and distribution of specialty license plates; amending s. 320.08058, F.S.; authorizing the use of a specified percentage of the proceeds from the sale of the Florida Educational license plate for marketing and promotion expenses; authorizing the use of certain proceeds from the sale of the Florida Agricultural license plate for promotion, marketing, and administrative costs and for Florida agriculture in the classroom programs; deleting provisions establishing the Girl Scout license plate; revising provisions relating to the Florida Wildflower license plate; creating the Florida NASCAR license plate; providing for the distribution of use fees received from the sale of such plate to the Florida Sports Foundation, the National Association for Stock Car Auto Racing, and the NASCAR Foundation; requiring the Florida Sports Association to provide for an annual audit to be submitted to the Office of Tourism, Trade, and Economic Development for certification to the Auditor General; creating the Corrections Foundation license plate; providing for the distribution of annual use fees received from the sale of such plate to a direct-support organization; creating the Protect Florida Springs license plate; providing for the annual use fees from the sale of such plate to be distributed to the Wildlife Foundation of Florida, Inc.; creating a Trees Are Cool license plate; providing for the distribution of annual use fees received from the sale of such plate; creating the Support Our Troops license plate; providing for the design of the plates; providing for the distribution of annual use fees received from the sale of such plates; providing for construction of the act; repealing s. 320.0848(2)(c), F.S., relating to an administrative processing fee imposed upon issuance of a disabled parking permit; creating s. 320.0894, F.S.; directing the Department of Highway Safety and Motor Vehicles to develop and issue a Gold Star license plate honoring the family members of servicemembers who have been killed while serving in the Armed Forces of the United States; providing for design of the plate; providing eligibility requirements; providing for payment of certain taxes and fees; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsections (4) and (6) of section 320.08056, Florida Statutes, are amended, and subsections (11) and (12) are added to that section, to read:

320.08056 Specialty license plates.—

(4) The following license plate annual use fees shall be collected for the appropriate specialty license plates:

(a) Manatee license plate, \$20.

(b) Challenger/Columbia license plate, \$25, except that a person that purchases 1,000 or more of such license plates shall pay an annual use fee of \$15 per plate.

(c) Collegiate license plate, \$25.

(d) Florida Salutes Veterans license plate, \$15.

(e) Florida panther license plate, \$25.

(f) Florida United States Olympic Committee license plate, \$15.

(g) Florida Special Olympics license plate, \$15.

(h) Florida educational license plate, \$20.

(i) Florida Professional Sports Team license plate, \$25.

(j) Florida Indian River Lagoon license plate, \$15.

(k) Invest in Children license plate, \$20.

(l) Florida arts license plate, \$20.

(m) Bethune-Cookman College license plate, \$25.

(n) Florida Agricultural license plate, \$20.

~~(o) Girl Scout license plate, \$20.~~

~~(o)~~(p) Police Athletic League license plate, \$20.

~~(p)~~(q) Boy Scouts of America license plate, \$20.

~~(q)~~(r) Largemouth Bass license plate, \$25.

~~(r)~~(s) Sea Turtle license plate, ~~\$23~~ \$17.50.

~~(s)~~(t) Protect Wild Dolphins license plate, \$20.

~~(t)~~(u) Barry University license plate, \$25.

~~(u)~~(v) Everglades River of Grass license plate, \$20.

- ~~(v)(w)~~ Keep Kids Drug-Free license plate, \$25.
- ~~(w)(x)~~ Florida Sheriffs Youth Ranches license plate, ~~\$25~~ \$20.
- ~~(x)(y)~~ Conserve Wildlife license plate, \$15.
- ~~(y)(z)~~ Florida Memorial University license plate, \$25.
- ~~(z)(aa)~~ Tampa Bay Estuary license plate, \$15.
- ~~(aa)(bb)~~ Florida Wildflower license plate, \$15.
- ~~(bb)(cc)~~ United States Marine Corps license plate, \$15.
- ~~(cc)(dd)~~ Choose Life license plate, \$20.
- ~~(dd)(ee)~~ Share the Road license plate, \$15.
- ~~(ee)(ff)~~ American Red Cross license plate, \$25.
- ~~(ff)(gg)~~ United We Stand license plate, \$25.
- ~~(gg)(hh)~~ Breast Cancer Research license plate, \$25.
- ~~(hh)(ii)~~ Protect Florida Whales license plate, \$25.
- ~~(ii)(jj)~~ Florida Golf license plate, \$25.
- ~~(jj)(kk)~~ Florida Firefighters license plate, \$20.
- ~~(kk)(ll)~~ Police Benevolent Association license plate, \$20.
- ~~(ll)(mm)~~ Military Services license plate, \$15.
- ~~(mm)(nn)~~ Protect Our Reefs license plate, \$25.
- ~~(nn)(oo)~~ Fish Florida license plate, \$22.
- ~~(oo)(pp)~~ Child Abuse Prevention and Intervention license plate, \$25.
- ~~(pp)(qq)~~ Hospice license plate, \$25.
- ~~(qq)(rr)~~ Stop Heart Disease license plate, \$25.
- ~~(rr)(ss)~~ Save Our Seas license plate, \$25, except that for an owner purchasing the specialty license plate for more than 10 vehicles registered to that owner, the annual use fee shall be \$10 per plate.
- ~~(ss)(tt)~~ Aquaculture license plate, \$25, except that for an owner purchasing the specialty license plate for more than 10 vehicles registered to that owner, the annual use fee shall be \$10 per plate.
- ~~(tt)(uu)~~ Family First license plate, \$25.
- ~~(uu)(vv)~~ Sportsmen's National Land Trust license plates, \$25.

- ~~(vv)(ww)~~ Live the Dream license plate, \$25.
- ~~(ww)(xx)~~ Florida Food Banks license plate, \$25.
- ~~(xx)(yy)~~ Discover Florida's Oceans license plate, \$25.
- ~~(yy)(zz)~~ Family Values license plate, \$25.
- ~~(zz)(aaa)~~ Parents Make A Difference license plate, \$25.
- ~~(aaa)(bbb)~~ Support Soccer license plate, \$25.
- ~~(bbb)(ccc)~~ Kids Deserve Justice license plate, \$25.
- ~~(ccc)(ddd)~~ Animal Friend license plate, \$25.
- ~~(ddd)(eee)~~ Future Farmers of America license plate, \$25.
- ~~(eee)(fff)~~ Donate Organs-Pass It On license plate, \$25.
- ~~(fff)(ggg)~~ A State of Vision license plate, \$25.
- ~~(ggg)(hhh)~~ Homeownership For All license plate, \$25.
- (hhh) Florida NASCAR license plate, \$25.
- (iii) Corrections Foundation license plate, \$25.
- (jjj) Protect Florida Springs license plate, \$25.
- (kkk) Trees Are Cool license plate, \$25.
- (lll) Support Our Troops license plate, \$25.

(6) Specialty license plates must bear the design required by law for the appropriate specialty license plate, and the designs and colors must conform to the department's design specifications. In addition to a design, the specialty license plates may bear the imprint of numerals from 1 to 999, inclusive, capital letters "A" through "Z," or a combination thereof. The department shall determine the maximum number of characters, including both numerals and letters. All specialty license plates must be otherwise of the same material and size as standard license plates issued for any registration period. A specialty license plate may bear an appropriate slogan, emblem, or logo in a size and placement that conforms to the department's design specifications. The sponsoring organization's Internet domain name may appear on the plate.

(11) The annual use fee from the sale of specialty license plates, the interest earned from those fees, or any fees received by an agency as a result of the sale of specialty license plates may not be used for the purpose of marketing to, or lobbying, entertaining, or rewarding, an employee of a governmental agency that is responsible for the sale and distribution of specialty license plates.

(12) The application form for a specialty license plate shall provide the applicant the option to instruct the department to provide his or her name, address, and renewal date to the sponsoring organization.

Section 2. Subsections (8), (14), (15), and (28) of section 320.08058, Florida Statutes, are amended, and subsections (61), (62), (63), (64), and (65) are added to that section, to read:

320.08058 Specialty license plates.—

(8) FLORIDA EDUCATIONAL LICENSE PLATES.—

(a) The Department of Highway Safety and Motor Vehicles shall develop a Florida educational license plate as provided in this section. Florida educational license plates must bear a design and colors that the department approves. The word “Florida” must appear in small letters at the top of the plate.

(b) The license annual use fees are to be distributed annually as follows:

1. Up to 10 percent of the moneys raised from the sale of the plates may be used for continuing marketing and promotion of the plates.

2.1. In each school district that has a district prekindergarten through grade 12 public school foundation or a direct-support organization, the moneys raised in that school district through the sale of Florida educational license plates must be distributed to the foundation or organization for enhancing educational programs.

3.2. In each school district that does not have a district prekindergarten through grade 12 public school foundation or a direct-support organization, the moneys raised in that school district through the sale of Florida educational license plates must be distributed to the district school board and must be used at the discretion of the board for enhancing educational programs.

(14) FLORIDA AGRICULTURAL LICENSE PLATES.—

(a) The Department of Highway Safety and Motor Vehicles shall develop a Florida Agricultural license plate. Florida Agricultural license plates must bear the colors and design approved by the department. The word “Agriculture” must appear at the top of the plate, and the words “Keeps Florida Green” must appear at the bottom of the plate.

(b) The proceeds of the Florida Agricultural license plate annual use fee must be forwarded to the direct-support organization created in s. 570.903. The funds must be used for the sole purpose of funding and promoting the Florida agriculture in the classroom program established within the Department of Agriculture and Consumer Services pursuant to s. 570.91.

(c) Up to 25 percent of the funds distributed under paragraphs (a) and (b) may be used for promotion, marketing, and administrative costs directly associated with the license plate and Florida agriculture in the classroom programs.

(15) ~~GIRL SCOUT LICENSE PLATES.—~~

(a) ~~The department shall develop a Girl Scout license plate as provided in this section to commemorate the Girl Scout councils in this state. The word “Florida” must appear at the top of the plate, and the words “For Her Future” must appear at the bottom of the plate.~~

(b) ~~The annual use fees shall be distributed to the Citrus Council of Girl Scouts, Inc., which shall distribute funds to the following Girl Scout councils equal to the annual use fees received from counties served by each council:~~

- ~~1. Citrus Council of Girl Scouts, Inc.~~
- ~~2. Gateway Girl Scout Council, Inc.~~
- ~~3. Girl Scouts of Broward County, Inc.~~
- ~~4. Girl Scout Council of Tropical Florida, Inc.~~
- ~~5. Heart of Florida Girl Scout Council, Inc.~~
- ~~6. Palm Glades Girl Scout Council, Inc.~~
- ~~7. Suncoast Girl Scout Council, Inc.~~

~~Funds collected in counties not served by one of the above councils shall be used by the Citrus Council of Girl Scouts, Inc., to reimburse expenditures made on behalf of other councils to comply with s. 320.08053. Once those expenditures have been reimbursed, the funds shall be distributed to the Girl Scout councils serving those counties in the same manner as funds are distributed to the listed councils.~~

(28) FLORIDA WILDFLOWER LICENSE PLATES.—

(a) The department shall develop a Florida Wildflower license plate as provided in this section. The word “Florida” must appear at the top of the plate, and the words “State Wildflower” and “coreopsis” must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Florida Wildflower Foundation, Inc., a nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code Account established by Keep Florida Beautiful, Inc., created by s. 403.4131. The proceeds must be used to establish native Florida wildflower research programs, wildflower educational programs, and wildflower grant programs to municipal, county, and community-based groups in this state:

1. The foundation shall develop operation procedures, research contracts, education and marketing programs, and wildflower-planting grants for Florida native wildflowers, plants, and grasses.

2. A maximum of 15 10 percent of the proceeds from the sale of such plates may be used by the foundation for administrative costs and marketing costs.

3. If the foundation ceases to be an active nonprofit corporation under s. 501(c)(3) of the Internal Revenue Code, any unexpended use fees held by the foundation must be promptly transferred to the General Inspection Trust Fund within the Department of Agriculture and Consumer Services and all future fees collected shall be deposited to the same trust fund in the department. The department shall use and administer the proceeds from the annual use fee in the manner specified in this paragraph.

(61) FLORIDA NASCAR LICENSE PLATES.—

(a) The department shall develop a Florida NASCAR license plate as provided in this section. Florida NASCAR license plates must bear the colors and design approved by the department. The word “Florida” must appear at the top of the plate, and the term “NASCAR” must appear at the bottom of the plate. The National Association for Stock Car Auto Racing, following consultation with the Florida Sports Foundation, may submit a sample plate for consideration by the department.

(b) The license plate annual use fees shall be distributed to the Florida Sports Foundation, a direct-support organization of the Office of Tourism, Trade, and Economic Development. The license plate annual use fees shall be annually allocated as follows:

1. Up to 5 percent of the proceeds from the annual use fees may be used by the Florida Sports Foundation for the administration of the NASCAR license plate program.

2. The National Association for Stock Car Auto Racing shall receive up to \$60,000 in proceeds from the annual use fees to be used to pay startup costs, including costs incurred in developing and issuing the plates. Thereafter, 10 percent of the proceeds from the annual use fees shall be provided to the association for the royalty rights for the use of its marks.

3. The remaining proceeds from the annual use fees shall be distributed to the Florida Sports Foundation. The Florida Sports Foundation will retain 15 percent to support its regional grant program, attracting sporting events to Florida; 20 percent to support the marketing of motorsports-related tourism in the state; and 50 percent to be paid to the NASCAR Foundation, a s. 501(c)(3) charitable organization, to support Florida-based charitable organizations.

(c) The Florida Sports Foundation shall provide an annual financial audit in accordance with s. 215.981 of its financial accounts and records by an independent certified public accountant pursuant to the contract established by the Office of Tourism, Trade, and Economic Development as specified in s. 288.1229(5). The auditor shall submit the audit report to the Office of Tourism, Trade, and Economic Development for review and approval. If the audit report is approved, the office shall certify the audit report to the Auditor General for review.

(62) CORRECTIONS FOUNDATION LICENSE PLATES.—

(a) The department shall develop a Corrections Foundation license plate as provided in this section. The word “Florida” must appear at the top of the

plate, the words “Corrections Foundation” must appear at the bottom of the plate, and the Corrections Foundation logo must appear to the left of the numerals.

(b) The annual use fees shall be distributed to Corrections Foundation, Inc., a direct-support organization created pursuant to s. 944.802, and shall be used to continue and expand the charitable work of the foundation, as provided in s. 944.802 and the articles of incorporation of the foundation.

(63) PROTECT FLORIDA SPRINGS LICENSE PLATES.—

(a) The department shall develop a Protect Florida Springs license plate as provided in this section. The word “Florida” must appear at the top of the plate, and the words “Protect Florida Springs” must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Wildlife Foundation of Florida, Inc., a citizen-support organization created pursuant to s. 372.0215, which shall administer the fees as follows:

1. Wildlife Foundation of Florida, Inc., shall retain the first \$60,000 of the annual use fees as direct reimbursement for administrative costs, start-up costs, and costs incurred in the development and approval process.

2. Thereafter, a maximum of 10 percent of the fees may be used for administrative costs directly associated with education programs, conservation, springs research, and grant administration of the foundation. A maximum of 15 percent of the fees may be used for continuing promotion and marketing of the license plate.

3. At least 55 percent of the fees shall be available for competitive grants for targeted community-based springs research not currently available for state funding. The remaining 20 percent shall be directed toward community outreach programs aimed at implementing such research findings. The competitive grants shall be administered and approved by the board of directors of the Wildlife Foundation of Florida. The granting advisory committee shall be composed of nine members, including one representative from the Fish and Wildlife Conservation Commission, one representative from the Department of Environmental Protection, one representative from the Department of Health, one representative from the Department of Community Affairs, three citizen representatives, and two representatives from nonprofit stakeholder groups.

4. The remaining funds shall be distributed with the approval of and accountability to the board of directors of the Wildlife Foundation of Florida, and shall be used to support activities contributing to education, outreach, and springs conservation.

(64) TREES ARE COOL LICENSE PLATES.—

(a) The department shall develop a Trees Are Cool license plate as provided in this section. The word “Florida” must appear at the top of the plate, and the words “Trees Are Cool” must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Florida Chapter of the International Society of Arboriculture, Inc., which shall retain the initial revenues from the sale of such plates until all startup costs for developing and establishing the plate have been recovered not to exceed \$60,000. Thereafter, the proceeds of the annual use fee shall be used in the following manner:

1. Twenty percent of the funds may be used by the Florida Chapter of the International Society of Arboriculture, Inc., for continuing promotion and marketing of the license plate and concept. Five percent of the funds received by the Florida Society of Arboriculture, Inc., may be used for administrative costs directly associated with the operations of the Florida Chapter of the International Society of Arboriculture, Inc., with respect to the management of the Trees Are Cool license plate program.

2. Seventy-five percent of the funds must be used to fulfill the mission of the Florida Chapter of the International Society of Arboriculture, Inc., which is to provide education and training statewide with respect to tree care and tree safety.

(65) SUPPORT OUR TROOPS LICENSE PLATES.—

(a) The department shall develop a Support Our Troops license plate as provided in this section. The plate must bear the colors and design approved by the department and must contain the “Support Our Troops” mark of Support Our Troops, Inc. The word “Florida” must appear at the top of the plate and the words “Support Our Troops” must appear at the bottom of the plate. The field of the plate may be colored.

(b) The annual use fees from the plate shall be distributed to Support Our Troops, Inc., to be used for the benefit of Florida troops and their families in accordance with its articles of incorporation. Support Our Troops, Inc., shall receive the first \$60,000 of the use fees to offset startup costs for developing and establishing the plate. Thereafter, the department shall distribute the annual use fees as follows:

1. Twenty-five percent shall be distributed to Support Our Troops, Inc., to offset marketing, administration, and promotion costs.

2. Of the remaining 75 percent, 65 percent shall be distributed to Support Our Troops, Inc., and 35 percent shall be distributed to the State Homes for Veterans Trust Fund within the Department of Veterans’ Affairs State Homes.

Section 3. Effective July 1, 2007, paragraph (c) of subsection (2) of section 320.0848, Florida Statutes, is repealed.

Section 4. Section 320.0894, Florida Statutes, is created to read:

320.0894 Motor vehicle license plates to Gold Star family members.—The department shall develop a special license plate honoring the family members of servicemembers who have been killed while serving in the Armed Forces of the United States. The license plate shall be officially

designated as the Gold Star license plate and shall be developed and issued as provided in this section.

(1) The Gold Star license plate must bear the colors and design approved by the department in cooperation with supporters of the license plate. The word "Florida" must appear at the top of the plate, and the words "Gold Star Family" must appear at the bottom of the plate. The plate shall bear a unique design that includes the symbol for a fallen servicemember, a gold star with blue fringe on a white background with a red border. The symbol shall be no larger than 3 inches by 3 inches and shall be placed in a conspicuous place to the left of the identifying number of the plate, which identifying number shall consist of no more than six alphanumeric characters.

(2) This section shall not be implemented until such time as the state has, through a licensing agreement or otherwise, received such license or other permission as may be required to implement this section. The designs of the initial and subsequent editions of the Gold Star license plate, except any part of the designs owned by others and licensed to the state, shall be owned solely by the state for its exclusive use and control, except as authorized by the department. The department may take such steps as may be necessary to give notice of and protect such right, including the copyright or copyrights. However, such steps shall be cumulative of the ownership and exclusive use and control established by this subsection as a matter of law, and no person shall reproduce or otherwise use such designs except as authorized by the department.

(3)(a) Each owner or lessee of an automobile or truck for private use, truck weighing not more than 7,999 pounds, or recreational vehicle as specified in s. 320.08(9)(c) or (d), which automobile, truck, or vehicle is not used for hire or commercial use, who is a resident of this state, and who meets the qualifications provided in subsection (4) shall, upon application therefor to the department and payment of the license tax and appropriate fees established in this chapter, be issued a Gold Star license plate. Each initial application for a Gold Star license plate must be accompanied by proof that the applicant meets the requirements provided in subsection (4).

(b) The surviving spouse and a surviving parent meeting the requirements in subsection (4) shall each, upon application therefor, be issued the Gold Star license plate for one vehicle per household free of charge. Renewal decals for the plate issued under this paragraph shall be issued at no cost.

(4)(a)1. The Gold Star license plate shall be issued only to family members of a servicemember who resided in Florida at the time of the death of the servicemember.

2. To qualify for issuance of a Gold Star license plate, the applicant must be directly related to a fallen servicemember as spouse, legal mother or father, or stepparent who is currently married to the mother or father of the fallen servicemember.

3. A servicemember is deemed to have been killed while in service as listed by the United States Department of Defense and may be verified from

documentation directly from the Department of Defense or from its subordinate agencies, such as the Coast Guard, Reserve, or National Guard.

(b) The applicant must provide documentation of the fact that the servicemember was killed while serving and proof of relationship to the servicemember to the tax collector or license plate agent before being issued a Gold Star license plate. The tax collector or license plate agent may waive the requirement for such documentation and proof if he or she has actual knowledge of the family relationship and that the servicemember was killed while serving.

(5) An eligible family member may request a Gold Star license plate at any time during his or her registration period. If such a license plate is to replace a current valid license plate, the license plate shall be issued with appropriate renewal decals attached.

Section 5. Except as otherwise expressly provided in this act, this act shall take effect October 1, 2007.

Approved by the Governor June 12, 2007.

Filed in Office Secretary of State June 12, 2007.