

Committee Substitute for  
Committee Substitute for Senate Bill No. 2020

An act relating to specialty license plates; amending ss. 320.08056 and 320.08058, F.S.; increasing the annual use fee for the Florida educational license plate; creating the Save Our Seas license plate; creating the Aquaculture license plate; creating a Family First license plate; creating a Sportsmen's National Land Trust license plate; creating the Live the Dream license plate; creating a Florida Food Banks license plate; creating a Discover Florida's Oceans license plate; creating the Family Values license plate; creating the Parents Make A Difference license plate; creating the Support Soccer license plate; creating a Kids Deserve Justice license plate; creating the Animal Friend license plate; providing for the distribution of annual use fees received from the sale of such plates; amending s. 320.08053, F.S.; revising requirements for establishing a specialty license plate; requiring submission of a sample plate; increasing the number of motor vehicle owners who must indicate, according to a scientific sample survey, that they intend to purchase a proposed specialty plate; defining the term "scientific sample survey"; requiring the Department of Highway Safety and Motor Vehicles to adopt rules relating to design specification for speciality license plates; amending s. 320.08056, F.S.; revising design requirements; revising conditions and procedures for the discontinuation of specialty license plates; changing the number of plates that must be purchased to prevent a plate from being discontinued; requiring the department, in cooperation with local tax collectors and the Prison Rehabilitative Industries and Diversified Enterprises, Inc., to study the possibility of using direct-to-customer distribution; requiring an analysis of the impact of certain technologies; requiring the department to report its findings to the Legislature; providing an effective date.

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

Section 1. Paragraph (h) of subsection (4) of section 320.0056, Florida Statutes, is amended and paragraphs (ss), (tt), (uu), (vv), (ww), (xx), (yy), (zz), (aaa), (bbb), (ccc), and (ddd) are added to that subsection, to read:

320.08056 Specialty license plates.—

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

(h) Florida educational license plate, \$20 \$15.

(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.

(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.

(uu) Family First license plate, \$25.

(vv) Sportsmen's National Land Trust license plates, \$25.

(ww) Live the Dream license plate, \$25.

(xx) Florida Food Banks license plate, \$25.

(yy) Discover Florida's Oceans license plate, \$25.

(zz) Family Values license plate, \$25.

(aaa) Parents Make A Difference license plate, \$25.

(bbb) Support Soccer license plate, \$25.

(ccc) Kids Deserve Justice license plate, \$25.

(ddd) Animal Friend license plate, \$25.

Section 2. Subsections (45), (46), (47), (48), (49), (50), (51), (52), (53), (54), (55), and (56) are added to section 320.08058, Florida Statutes, to read:

320.08058 Specialty license plates.—

(45) SAVE OUR SEAS LICENSE PLATES.—

(a) The department shall develop a Save Our Seas license plate as provided in this section. Save Our Seas 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 words "Save Our Seas" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Harbor Branch Oceanographic Institution, Inc. After reimbursement for documented costs expended for establishing the license plate, the Harbor Branch Oceanographic Institution, Inc., shall use the remaining funds for marine science research and education programs as follows:

1. Ten percent of the funds shall be distributed to the Guy Harvey Research Institute of the Nova Southeastern University Oceanographic Center to conduct fisheries and shark research in the state.

2. Up to 15 percent of the funds may be used for administrative costs directly associated with the Harbor Branch Oceanographic Institution's marine science and marine education programs and administrative costs associated with the Save Our Seas license plate.

3. Up to 10 percent of the funds may be used for continuing promotion and marketing of the license plate.

4. The remaining funds shall be used to conduct scientific research and education on marine plants and animals and coastal oceanography in state marine waters; to collect and analyze long-term data sets on the state's critical marine habitats; to determine changes in populations and communities of marine organisms and their impacts on the use of the state's marine resources; to maintain reference collections of scientific specimens and photographic archives of the state's marine plants and animals; and to conduct scientific conferences of relevance to the state's marine resources and their management, utilization, and conservation.

(46) AQUACULTURE LICENSE PLATES.—

(a) The department shall develop an Aquaculture license plate as provided in this section. Aquaculture 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 word "Aquaculture" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Harbor Branch Oceanographic Institution, Inc. After reimbursement for documented costs expended for establishing the license plate, the Harbor Branch Oceanographic Institution, Inc., shall use the remaining funds for aquaculture research and education programs as follows:

1. Ten percent of the funds shall be distributed to the Guy Harvey Research Institute of the Nova Southeastern University Oceanographic Center to conduct outreach and education regarding aquaculture in the state.

2. Up to 15 percent of the funds may be used for administrative costs directly associated with the Harbor Branch Oceanographic Institution's aquaculture programs and administrative costs associated with the Aquaculture license plate.

3. Up to 10 percent of the funds may be used for continuing promotion and marketing of the license plate.

4. The remaining funds shall be used to conduct scientific research on environmentally responsible and sustainable methods of farming freshwater and saltwater organisms such as fish, shellfish, and crustaceans for food; biomedical species for pharmaceutical and nutraceutical compounds; and marine ornamentals for the aquarium trade. These funds shall also be used to expand the institution's educational programs that include secondary school field experiences, college degree programs, and intensive courses in order to further the objective of increasing aquaculture's contribution to the state's economy.

(47) FAMILY FIRST LICENSE PLATES.—

(a) The department shall develop a Family First license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "Family First" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to Family First to fund programs, projects, seminars, events, and family resources that promote

principles for building marriages, guiding parents, and raising children. Family First shall retain all revenues from the sale of the plate until its startup costs for developing and establishing the plate have been recovered. Up to 5 percent of the funds received by Family First may be expended for administrative costs directly associated with the operations of Family First. Up to 20 percent of the funds received by Family First may be expended for promoting and marketing the license plate. Family First may expend all remaining funds for programs.

(48) SPORTSMEN'S NATIONAL LAND TRUST LICENSE PLATES.—

(a) The department shall develop a Sportsmen's National Land Trust license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "Sportsmen's National Land Trust" must appear at the bottom of the plate.

(b) The annual revenues from the sales of the license plate shall be distributed to the Sportsmen's National Land Trust. Such annual revenues must be used by the trust in the following manner:

1. Fifty percent may be retained until fifty percent of all startup costs for developing and establishing the plate have been recovered.

2. Twenty-five percent must be used to fund programs and projects within the state that preserve open space and wildlife habitat, promote conservation, improve wildlife habitat, and establish open space for the perpetual use of the public.

3. Twenty-five percent may be used for promotion, marketing, and administrative costs directly associated with operation of the trust.

(c) When the provisions of subparagraph 1. are met those annual revenues shall be used for the purposes of subparagraph 2.

(49) LIVE THE DREAM LICENSE PLATES.—

(a) The department shall develop a Live the Dream license plate as provided in this section. Live the Dream 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 words "Live the Dream" must appear at the bottom of the plate.

(b) The proceeds of the annual use fee shall be distributed to the Dream Foundation, Inc. The Dream Foundation, Inc., shall retain the first \$60,000 in proceeds from the annual use fees as reimbursement for administrative costs, startup costs, and costs incurred in the approval process. Thereafter, up to 25 percent shall be used for continuing promotion and marketing of the license plate and concept. The remaining funds shall be used in the following manner:

1. Twenty-five percent shall be distributed as grants for programs that provide research, care, and treatment for sickle cell disease.

2. Twenty-five percent shall be distributed to the Florida chapter of the March of Dimes for programs and services that improve the health of babies through the prevention of birth defects and infant mortality.

3. Ten percent shall be distributed to the Florida Association of Healthy Start Coalitions to decrease racial disparity in infant mortality and to increase healthy birth outcomes. Funding will be used by local Healthy Start Coalitions to provide services and increase screening rates for high-risk pregnant women, children under 4 years of age, and women of childbearing age.

4. Ten percent shall be distributed to the Community Partnership for Homeless, Inc., for programs that provide relief from poverty, hunger, and homelessness.

5. Five percent of the proceeds shall be used by the foundation for administrative costs directly associated with operations as they relate to the management and distribution of the proceeds.

(50) FLORIDA FOOD BANKS LICENSE PLATES.—

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

(b) The annual use fees shall be distributed to the Florida Association of Food Banks, Inc., which may use up to 25 percent of the proceeds to market the association’s concept and the license plate. The balance of the proceeds shall be used by the association to fund programs to end hunger in this state.

(c) An advisory board, composed of a representative of each member food bank of the Florida Association of Food Banks, Inc., shall review the distribution of funds by the association.

(51) DISCOVER FLORIDA’S OCEANS LICENSE PLATES.—

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

(b) The annual use fees shall be distributed to the Hubbs Florida Ocean Fund, Inc., which shall administer the fees as follows:

1. Twenty percent of the funds shall be distributed to the Wildlife Foundation of Florida, Inc., to be used for ocean, estuarine, or coastal scientific research, conservation, and education projects.

2. Up to 10 percent of the funds may be used for administrative costs directly associated with research, conservation, and education programs of the Hubbs-SeaWorld Research Institute and with the license plate.

3. Up to 15 percent of the funds may be used for continuing promotion and marketing of the license plate.

4. The remainder of the funds shall be used to collect, analyze, archive, and publish scientific data regarding the state's ocean, estuary, and coastal habitats and the species that inhabit, use, or migrate in state waters or along the state's coastal areas; to provide response, care, assistance, and research as part of the Hubbs-SeaWorld Research Institute's role in responding to and archiving data on stranded marine species; to construct and maintain a marine and coastal research center in association with the Archie Carr National Wildlife Refuge on lands donated to the Hubbs-SeaWorld Research Institute by the Richard King Mellon Foundation; to train teachers and students to enhance scientific literacy, research competency, and technology development; to conduct ocean-space aquatic research and scientific research focused on ocean observations from space; to conduct research on economic benefits of the state's ocean, estuary, and coastal resources and public use of those resources; to create research and education programs that contribute to the development of the state's knowledge and diversify the economy; and to implement programs that seek objective, common-sense, scientific solutions to the complex marine and coastal ecological problems facing the state.

(52) FAMILY VALUES LICENSE PLATES.—

(a) The department shall develop a Family Values license plate as provided in this section. Family Values license plates must bear the colors and design approved by the department. The words "Family Values" must appear at the top of the plate, and the word "Florida" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to Sheridan House, Inc., to be used in the following manner:

1. Sheridan House, Inc., shall retain all revenues from the sale of Family Values license plates until all startup costs for developing and establishing the plates have been recovered.

2. Up to 5 percent of the funds received by Sheridan House, Inc., shall be expended for administrative costs directly associated with the operations of Sheridan House, Inc., and up to 20 percent of the funds received shall be expended for promotion and marketing of the license plate.

3. All remaining funds shall be expended by Sheridan House, Inc., to fund residential care programs, family counseling, social services for single parents and their children, resources materials, and facility construction.

(53) PARENTS MAKE A DIFFERENCE LICENSE PLATES.—

(a) The department shall develop a Parents Make A Difference license plate as provided in this section. The words "Parents Make A Difference" must appear at the top of the plate, and the word "Florida" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to The Gathering/USA, Inc., to fund personal counseling for parents, marriage seminars, Dads and Moms That Make A Difference seminars, father-and-son retreats, mother-and-daughter retreats, and personal parenting behavioral assessments. The

Gathering/USA, Inc., shall distribute the Parents Make A Difference license plate annual use fees in the following manner:

1. The Gathering/USA, Inc., shall retain all revenues from the sale of such plates until all startup costs for developing and establishing the plate have been recovered.

2. Up to 5 percent of the funds received by The Gathering/USA, Inc., shall be expended for administrative costs directly associated with the operations of The Gathering/USA, Inc., and up to 20 percent of the funds received shall be expended for promotion and marketing of the license plate.

3. All remaining funds shall be expended by The Gathering/USA, Inc., for programs.

(54) SUPPORT SOCCER LICENSE PLATES.—

(a) The department shall develop a Support Soccer license plate as provided in this section. Support Soccer 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 words “Support Soccer” must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Lighthouse Soccer Foundation, 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 \$85,000. Thereafter, the proceeds of the annual use fee shall be used in the following manner:

1. Up to 25 percent of the proceeds may be used by the Lighthouse Soccer Foundation, Inc., for continuing promotion and marketing of the license plate and concept.

2. Twenty percent shall be distributed to the Florida Youth Soccer Association for programs and services that foster the physical, mental, and emotional growth and development of Florida’s youth through the sport of soccer at all levels of age and competition, including a portion to be determined by the Florida Youth Soccer Association for the TOPSoccer program to promote participation by the physically and mentally disadvantaged.

3. Twenty percent shall be distributed as grants for programs that promote participation by the economically disadvantaged and to support soccer programs where none previously existed.

4. Ten percent shall be distributed to the Florida State Soccer Association to promote the sport of soccer and the long-term development of the sport.

5. Ten percent shall be distributed as grants for programs that promote and support the construction of fields and soccer-specific infrastructure.

6. Ten percent shall be distributed as grants for programs that foster and promote health, physical fitness, and educational opportunities through soccer.

7. Five percent shall be expended by the Lighthouse Soccer Foundation, Inc., for administrative costs directly associated with the foundation's operations as they relate to the management and distribution of the proceeds.

(55) KIDS DESERVE JUSTICE LICENSE PLATES.—

(a) The department shall develop a Kids Deserve Justice license plate as provided in this section. The word "Florida" must appear at the top of the plate, and the words "Kids Deserve Justice" must appear at the bottom of the plate.

(b) The annual use fees shall be distributed to the Florida Bar Foundation, Inc., which shall use the funds to operate a grant award process to fund legal services programs for children, including legal services programs, programs to obtain federal benefits for disabled children, programs to obtain testing and services required by law for learning-disabled children, and programs to obtain permanent placement for abused and neglected children. The foundation may retain all proceeds until all costs for developing the plate have been recovered.

(56) ANIMAL FRIEND LICENSE PLATES.—

(a) Notwithstanding the provisions of s. 320.08053, the department shall develop an Animal Friend license plate as provided in this section. Animal Friend 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 words "Animal Friend" must appear at the bottom of the plate.

(b) The department shall retain all annual use fee revenues from the sale of such plates until all startup costs for developing and issuing the plates are recovered, not to exceed \$60,000.

(c) After the department has recovered all startup costs for developing and issuing the plates, the annual use fees shall be distributed to the Humane Society of the United States for animal welfare programs and spay and neuter programs in the state.

(d) No more than 10 percent of the fees collected may be used for administrative costs directly associated with marketing and promotion of the Animal Friend license plate and distribution of funds as described in subsection (c) of this section.

(e) Funds received from the purchase of the Animal Friend license plate shall not be used for litigation.

Section 3. Section 320.08053, Florida Statutes, is amended to read:

320.08053 Requirements for requests to establish specialty license plates.—

(1) An organization that seeks authorization to establish a new specialty license plate for which an annual use fee is to be charged must submit to the department:



(a) A request for the particular specialty license plate being sought, describing the proposed specialty license plate in specific general terms, including a sample plate that conforms to the specifications set by the department and this chapter, and that is in substantially final form.

(b) The results of a scientific sample survey of Florida motor vehicle owners that indicates at least ~~30,000~~ 15,000 motor vehicle owners intend to purchase the proposed specialty license plate at the increased cost. As used in this paragraph, the term "scientific sample survey" means information that is gathered from a representative subset of the population as a whole. The sample survey of registered motor vehicle owners must be performed independently of the requesting organization by an organization that conducts similar sample surveys as a normal course of business. Prior to conducting a sample survey for the purposes of this section, a requesting organization must obtain a determination from the department that the organization selected to conduct the survey performs similar surveys as a normal course of business and is independent of the requesting organization. The methodology, results, and any evaluation by the department of the scientific sample survey shall be validated by the Auditor General as a condition precedent to submission of the specialty license plate for approval by the Legislature.

(c) An application fee, not to exceed \$60,000, to defray the department's cost for reviewing the application and developing the specialty license plate, if authorized. State funds may not be used to pay the application fee, except for collegiate specialty license plates authorized in s. 320.08058(3) and (13). The specialty license plate application provisions of this act shall not apply to any organization which has requested and received the required forms for obtaining a specialty license plate authorization from the Department of Highway Safety and Motor Vehicles, has opened a bank account for the funds collected for the specialty license tag and has made deposits to such an account, and has obtained signatures toward completing the requirements for the specialty license tag. All applications requested on or after the effective date of this act must meet the requirements of this act.

(d) A marketing strategy outlining short-term and long-term marketing plans for the requested specialty license plate and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the sale of the requested specialty license plates.

The information required under this subsection must be submitted to the department at least 90 days before the convening of the next regular session of the Legislature.

(2) If the specialty license plate requested by the organization is approved by law, the organization must submit the proposed art design for the specialty license plate to the department, in a medium prescribed by the department, as soon as practicable, but no later than 60 days after the act approving the specialty license plate becomes a law. If the specialty license plate requested by the organization is not approved by the Legislature, the application fee shall be refunded to the requesting organization.

(3) The department shall adopt rules providing viewpoint-neutral specifications for the design of specialty license plates that promote or enhance the readability of all specialty license plates and that discourage counterfeiting. The rules shall provide uniform specifications requiring inclusion of the word "Florida" in the same location on each specialty license plate, in such a size and location that is clearly identifiable on the specialty license plate when mounted on a vehicle, and shall provide specifications for the size and location of any words or logos appearing on a specialty license plate.

Section 4. Subsections (6), (7), and (8) of section 320.08056, Florida Statutes, are amended to read:

320.08056 Specialty license plates.—

(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 ~~be approved by the department~~. 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. ~~In small letters, the word "Florida" must appear at either the bottom or top of the plate, depending upon the design.~~ In addition, 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.

(7) The department shall annually retain from the first proceeds derived from the annual use fees collected an amount sufficient to defray each specialty plate's pro rata share of the department's costs directly related to the specialty license plate program issuing the specialty plate. Such costs shall include inventory costs, distribution costs, direct costs to the department, costs associated with reviewing each organization's compliance with audit and attestation requirements of s. 320.08062, and any applicable increased costs of manufacturing the specialty license plate. Any cost increase to the department related to actual cost of the plate, including a reasonable vendor profit, shall be verified by the Department of Management Services. The balance of the proceeds from the annual use fees collected for that specialty license plate shall be distributed as provided by law.

(8)(a) The department 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 shall be mailed to the sponsoring organization following the first month in which the total number of valid specialty plate registrations is below 1,000 plates.:

~~1.— Less than 8,000 plates, including annual renewals, are issued for that specialty license plate by the end of the 5th year of sales.~~

~~2.— Less than 8,000 plates, including annual renewals, are issued for that specialty license plate during any subsequent 5-year period.~~

(b) The department is authorized to discontinue the issuance of a specialty license plate and distribution of associated annual use fee proceeds if the organization no longer exists, if the organization has stopped providing services that are authorized to be funded from the annual use fee proceeds, or pursuant to an organizational recipient's request. Organizations are required to notify the department immediately to stop all warrants for plate sales if any of the conditions in this section exist, and must meet the requirements of s. 320.08062 for any period of operation during a fiscal year.

~~(c) The requirements of paragraph (a) shall not apply to collegiate specialty license plates authorized in s. 320.08058(3), (13), (21), and (26).~~

Section 5. The Department of Highway Safety and Motor Vehicles shall, in cooperation with representatives of the local tax collectors and with Prison Rehabilitative Industries and Diversified Enterprises, Inc., at Union Correctional Facility, study the operational and economic feasibility of direct-to-customer delivery of specialty license plates. The study shall include, but not be limited to, an analysis of the potential operational and economic impact of various manufacturing, inventory control, and product distribution technologies on the specialty license plate program. The department shall report its findings to the President of the Senate and the Speaker of the House of Representatives no later than December 31, 2004.

Section 6. This act shall take effect July 1, 2004.

Approved by the Governor June 18, 2004.

Filed in Office Secretary of State June 18, 2004.