

## CHAPTER 2023-118

### Committee Substitute for Committee Substitute for Senate Bill No. 838

An act relating to proceeds funding motorcycle safety education; amending s. 320.08, F.S.; requiring that the motorcycle safety education fee be used for a safety and education program administered by Florida not-for-profit corporations; specifying requirements for the administrators of such program; requiring the Department of Highway Safety and Motor Vehicles to enter into certain contracts for a specified purpose; specifying the requirements of the safety awareness and education programs; specifying requirements for certain contracts; requiring the administrators of the programs to file an annual report with the Legislature by a certain date; amending s. 320.086, F.S.; conforming cross-references; requiring the department to select program administrators and enter into specified contracts by a specified date; requiring the department to transmit portions of the safety education fee to the program administrators quarterly; specifying the first payment date; providing an effective date.

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

Section 1. Present paragraph (d) of subsection (1) of section 320.08, Florida Statutes, is redesignated as paragraph (g), a new paragraph (d) and paragraphs (e) and (f) are added to that subsection, and paragraph (c) of that subsection is amended, to read:

320.08 License taxes.—Except as otherwise provided herein, there are hereby levied and imposed annual license taxes for the operation of motor vehicles, mopeds, tri-vehicles as defined in s. 316.003, and mobile homes as defined in s. 320.01, which shall be paid to and collected by the department or its agent upon the registration or renewal of registration of the following:

(1) MOTORCYCLES AND MOPEDS.—

(c) Upon registration of a motorcycle, motor-driven cycle, or moped, in addition to the license taxes specified in this subsection, a nonrefundable motorcycle safety education fee in the amount of \$2.50 shall be paid. The proceeds of the safety education ~~such additional fee~~ shall be deposited in the Highway Safety Operating Trust Fund ~~to fund a motorcycle driver improvement program implemented pursuant to s. 322.025, the Florida Motorcycle Safety Education Program established in s. 322.0255, or the general operations of the department.~~

(d) The entire safety education fee shall be used for a safety and education program administered by three Florida not-for-profit corporations.

1. The program administrators must be charities registered with the Department of Agriculture and Consumer Services.

2. One of the program administrators must be a motorcycle grassroots organization that has been in existence for no less than 30 years with an established history of advocating for motorcycle safety during that time period and can demonstrate membership of at least 5,000 members as of January 1, 2023, which are geographically dispersed throughout this state.

3. Two of the program administrators must be motorcycle grassroots organizations that have been in existence for no less than 20 years with an established history of advocating for motorcycle safety during that time period and can demonstrate membership of at least 1,000 members as of January 1, 2023, which are geographically dispersed throughout this state.

(e) The department shall enter into a 5-year contract with each of the program administrators to use their portion of the safety education fee to pay for motorcycle safety and education programs. The programs must promote motorcycle safety and education with the goal of reducing motorcycle injuries and deaths in this state. The programs may include pamphlets, advertisements, public service announcements, digital media, social media, a website, participation at grassroots motorcycle events, advocacy, and reasonable administrative expenses. Each 5-year contract between the department and each program administrator must require that each program administrator show clear collaboration during and prior to implementation of motorcycle safety and education programs which may include, but need not be limited to, collaboration regarding advertising, management of the safety education fee funds, and motorcycle safety and education programs.

(f) Each of the program administrators shall file an annual report by July 31 with the President of the Senate and the Speaker of the House of Representatives, outlining the types of events the program administrator attended, if any, and the methods selected to distribute safety awareness and education materials or to expose the public to the programs, estimating the number of people who were exposed to the program administrator's educational efforts, and specifying clear collaboration with any other program administrator during and prior to implementation of any safety education programs.

Section 2. Subsection (1) and paragraph (a) of subsection (2) of section 320.086, Florida Statutes, are amended to read:

320.086 Ancient or antique motor vehicles; horseless carriage, antique, or historical license plates; former military vehicles.—

(1) The owner of a motor vehicle for private use manufactured in model year 1945 or earlier and operated on the streets and highways of this state shall, upon application in the manner and at the time prescribed by the department and upon payment of the license tax for an ancient motor vehicle

prescribed by ~~s. 320.08(1)(g), (2)(a), or (3)(e)~~ s. 320.08(1)(d), (2)(a), or (3)(e), be issued a special license plate for such motor vehicle. The license plate shall be permanent and valid for use without renewal so long as the vehicle is in existence. In addition to the payment of all other fees required by law, the applicant shall pay such fee for the issuance of the special license plate as may be prescribed by the department commensurate with the cost of its manufacture. The registration numbers and special license plates assigned to such motor vehicles shall run in a separate numerical series, commencing with “Horseless Carriage No. 1,” and the plates shall be of a distinguishing color.

(2)(a) The owner of a motor vehicle for private use manufactured in a model year after 1945 and of the age of 30 years or more after the model year and operated on the streets and highways of this state may, upon application in the manner and at the time prescribed by the department and upon payment of the license tax prescribed by ~~s. 320.08(1)(g), (2)(a), or (3)(e)~~ s. 320.08(1)(d), (2)(a), or (3)(e), be issued a special license plate for such motor vehicle. In addition to the payment of all other fees required by law, the applicant shall pay the fee for the issuance of the special license plate prescribed by the department, commensurate with the cost of its manufacture. The registration numbers and special license plates assigned to such motor vehicles shall run in a separate numerical series, commencing with “Antique No. 1,” and the plates shall be of a distinguishing color. The owner of the motor vehicle may, upon application and payment of the license tax prescribed by s. 320.08, be issued a regular Florida license plate or specialty license plate in lieu of the special “Antique” license plate.

Section 3. By October 1, 2023, the Department of Highway Safety and Motor Vehicles shall select three program administrators that meet the requirements of s. 320.08(1)(d), Florida Statutes, and shall enter into contracts as specified in this act. The department shall award the contracts pursuant to this act to eligible entities even if a sufficient number of qualified entities have not applied. The department shall transmit one-third of the safety education fee to each program administrator quarterly, with the first payment being payable October 1, 2023.

Section 4. This act shall take effect July 1, 2023.

Approved by the Governor May 24, 2023.

Filed in Office Secretary of State May 24, 2023.