

**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** CS/HB 5011 PCB TED 09-03 Highway Safety and Motor Vehicles  
**SPONSOR(S):** Full Appropriations Council on Education and Economic Development; Transportation & Economic Development Appropriations Committee, Glorioso  
**TIED BILLS:** **IDEN./SIM. BILLS:**

	REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.:	Transportation & Economic Development Appropriations Committee	8 Y, 5 N	Rayman	Creamer
1)	Full Appropriations Council on Education & Economic Development	14 Y, 7 N, As CS	Rayman	Martin
2)				
3)				
4)				
5)				

**SUMMARY ANALYSIS**

The bill makes a number of changes to user fees and fines relating to the Department of Highway Safety and Motor Vehicles (DHSMV). Specifically the bill modifies:

- Reflectorization Fee for License Plates and Registration Tags;
- Driver History Records fees;
- Penalties for Driver's License Reinstatement;
- Late Payment Fees on Driver's License Renewals;
- Driver's License and ID Card Fees;
- Vehicle Registration Fees;
- Specialty and Prestige License Plate Processing Fees;
- Fees for Motor Vehicle and Driver Lists;
- Florida Real Time Vehicle Information System Fees;
- Driver License Knowledge Test Re-Exam Fees;
- Driver License Skills Test Re-Exam Fees;
- Vehicle Title Fees;
- Vehicle Initial Registration Fees; and
- Rebuilt Vehicle Inspection Fees.

The bill also creates new fees for driving under the influence (DUI) hardship hearings and informal and formal reviews; and franchise dealership advertisements.

The bill will also extend the license plate replacement cycle from 6 years to 10 years.

The bill modifies distribution of the Florida Golf specialty license plate fees.

The positive fiscal impact to state revenues in FY 2009-10 are as follows:

- General Revenue Fund (GR) - increase of: \$625.8 million
- DHSMV's Highway Safety Operating Trust Fund (HSOTF) - increase of: \$112 million

The bill has an effective date of September 1, 2009.

## HOUSE PRINCIPLES

Members are encouraged to evaluate proposed legislation in light of the following guiding principles of the House of Representatives

- Balance the state budget.
- Create a legal and regulatory environment that fosters economic growth and job creation.
- Lower the tax burden on families and businesses.
- Reverse or restrain the growth of government.
- Promote public safety.
- Promote educational accountability, excellence, and choice.
- Foster respect for the family and for innocent human life.
- Protect Florida's natural beauty.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

#### **Fees for Driver License and ID Cards, Late Fees, and Reinstatement Fees (Sections 1, 20, 22, 23, and 24)**

##### Current Situation

Section 318.15(2), F.S., provides that if a person fails to comply with civil penalties, fails to attend a driver improvement school, or fails to appear at a scheduled hearing before the date their driver license is suspended, the person is charged a \$47.50 service fee. The fee must be paid at any driver license office, clerk of the court, or driver licensing agent.

Section 322.12(1), F.S., provides for any applicant who fails to pass the initial knowledge test will incur a \$5 fee for each subsequent test. Any applicant who fails to pass the initial skills test will incur a \$10 fee for each subsequent test. Both fees shall be deposited into the HSOTF.

Section 322.21(1), F.S., authorizes a delinquent fee of \$1 for the late renewal of a driver license, and authorizes an issuance fee for original, renewal, and replacement driver license transactions. These fees are as follows:

- |                           |      |   |
|---------------------------|------|---|
| • Original Driver License | \$27 | Deposited into GR                               |
| • Driver License Renewal  | \$20 | Deposited into GR                               |
| • Replacement DL          | \$10 | \$7 deposited into HSOTF; \$3 deposited into GR |
| • Original ID             | \$10 | Deposited into GR                               |
| • ID Renewal              | \$10 | \$6 deposited into HSOTF; \$4 deposited into GR |
| • ID Replacement          | \$10 | \$9 deposited into HSOTF; \$1 deposited into GR |
| • Original Commercial DL  | \$67 | Deposited into GR                               |
| • Commercial DL Renewal   | \$67 | Deposited into GR                               |

Section 322.21(8), F.S., provides that a person who applies for reinstatement following suspension or revocation of the person's driver license shall pay a service fee of \$35 following a suspension and \$60 following a revocation. Of the \$35 fee, \$15 is deposited into GR and \$20 is deposited into the HSOTF. Of the \$60 fee, \$35 is deposited into GR and \$25 is deposited into HSOTF. For those holding a commercial driver license the fee is \$60. If the suspension or revocation is in violation of section 316.193, F.S., or if the individual refuses to submit to a breath, blood, or urine test, an additional administrative fee of \$115 is assessed.

Section 322.29, F.S., provides for reinstatement of a suspended license and a service charge of \$37.50 deposited into GR and \$10 deposited into the HSOTF for a total fee of \$47.50.

Section 322.293, F.S., provides a \$12 fee shall be assessed on each person who enrolls in a DUI program.

### Proposed Changes

This bill amends section 318.15(2), F.S., to increase the service charge to reinstate a suspended driver's license from \$47.50 to \$60 imposed under section 322.29, F.S. The additional \$12.50 charge shall be deposited into HSOTF as is the original fee.

The bill amends section 322.12(1), F.S., by increasing fees for the subsequent knowledge test to \$10 and for the subsequent skills test to \$20. The additional \$10 charge shall be deposited into the HSOTF as is the original fee.

The bill amends section 322.21(1), F.S., to increase the delinquent fee for the late renewal of a driver license from \$1 to \$10. The bill increases fees for original, renewal, and replacement driver license transactions. These fee increases are:

- |                           |              |   |
|---------------------------|--------------|---|
| • Original Driver License | \$27 to \$30 | Deposited into GR                               |
| • Driver License Renewal  | \$20 to \$22 | Deposited into GR                               |
| • Replacement DL          | \$10 to \$11 | \$7 deposited into HSOTF; \$4 deposited into GR |
| • Original ID             | \$10 to \$11 | Deposited into GR                               |
| • ID Renewal              | \$10 to \$11 | \$6 deposited into HSOTF; \$5 deposited into GR |
| • ID Replacement          | \$10 to \$11 | \$9 deposited into HSOTF; \$2 deposited into GR |
| • Original Commercial DL  | \$67 to \$74 | Deposited into GR                               |
| • Commercial DL Renewal   | \$67 to \$74 | Deposited into GR                               |

This bill also amends section 322.21(8), F.S., to increase the fees for reinstating a suspended driver's license from \$35 to \$45 and increases fees for reinstating a revoked license from the current \$60 fee to \$75. The \$10 suspension fee increase and the \$15 disqualification/revocation fee increase shall be deposited into the HSOTF.

This bill increases the administrative fee charged when the revocation or suspension of the driver's license was caused by a violation of section 316.193, F.S., or for the refusal to submit to a lawful breath, blood, or urine test from \$115 to \$130. The additional \$15 charge will be deposited into the HSOTF.

This bill adds section 322.21(9), F.S., to impose a filing fee of \$25.00 for a review authorized in sections 322.222, 322.2615, 322.2616, 322.27, or 322.64, F.S., related to drivers' licenses revocations for DUI offenses, to be deposited into the HSOTF. The new section also imposes a filing fee of \$12.00 for an applicant petitioning the department for a hearing authorized in section 322.271, F.S., related habitual traffic offender licenses being suspended, canceled, or revoked, to be deposited into the HSOTF.

This bill amends section 322.29, F.S., increasing the service fee paid when the customer has complied with all directives of the court and the requirements of section 322.245, F.S., from \$47.50 to \$60. The \$12.50 increase will be deposited into the HSOTF.

This bill amends section 322.293, F.S., increases the assessment from \$12 to \$15 to cover the operating costs of the DUI program.

### **Motor Vehicle Certificates of Title (Section 2)**

## Current Situation

Section 319.32(1), F.S., requires the department to charge a fee of \$24 for each original certificate of title except for a certificate of title for a motor vehicle for hire registered under section 320.08(6), F.S., for which the title fee shall be \$3, \$24 for each duplicate copy of a certificate of title except for a certificate of title for a motor vehicle for hire registered under section 320.08(6), for which the title fee shall be \$3, \$2 for each salvage certificate of title, and \$3 for each assignment by a lien holder. It shall also charge a fee of \$2 for noting a lien on a title certificate, which fee shall include the services for the subsequent issuance of a corrected certificate or cancellation of lien when that lien is satisfied. If an application for a certificate of title is for a rebuilt vehicle, the department shall charge an additional fee of \$40 for conducting a physical examination of the vehicle to assure its identity. In addition to all other fees charged, a sum of \$1 shall be paid for the issuance of an original or duplicate certificate of title to cover the cost of materials used for security purposes.

Section 319.32(5), F.S., requires all fees collected pursuant to subsection (3) shall be paid into the Nongame Wildlife Trust Fund. Twenty-one dollars of each fee for each applicable original certificate of title and each applicable duplicate copy of a certificate of title, after deducting the service charges imposed by section 215.20, F.S., shall be deposited into the State Transportation Trust Fund. All other fees collected by the department under this chapter shall be paid into GR. The bill provides that beginning in FY 2015-16 the increased fee for initial registrations be deposited into the State Transportation Trust Fund.

## Proposed Changes

The bill amends section 319.32(1), F.S., to authorize the Department to increase the fee charge for each original certificate of title and duplicate copy of certificate of title from \$24 to \$45. The bill adds language for a rebuilt vehicle that the initial inspection fee of \$40 shall be deposited into the GR Fund and each applicable subsequent inspection fee of \$20 shall be deposited into the HSOTF.

### **Motor Vehicle Registration Fee for Florida Real Time Vehicle Information System (Section 3)**

#### Current Situation

Section 320.03(5), F.S., authorizes a fee of \$0.50 charged on each original motor vehicle registration and each renewal of a motor vehicle registration to fund the Florida Real Time Vehicle Information System.

#### Proposed Changes

The bill increases the fee charged on all original motor vehicle registrations and the renewal of a motor vehicle registration to fund the Florida Real Time Vehicle Information System from \$0.50 to \$1.00. Distribution is to the HSOTF.

### **Motor Vehicle or Vessel Records (Section 5)**

#### Current Situation

Section 320.05(3)(b), F.S., authorizes fees charged and collected for providing lists of motor vehicle or vessel records for the entire state, or any part or parts thereof, divided according to counties, a sum computed at a rate of not less than 1 cent nor more than 5 cents per item.

Section 320.05(3)(e), F.S., allows that the fee for the electronic access is not required to be assessed. However, at the tax collector's discretion, a fee equal to or less than the fee charged by the department for such information may be assessed by the tax collector for the electronic access. Notwithstanding paragraph (c), any funds collected by the tax collector as a result of providing such access shall be retained by the tax collector. These fees are not currently collected by tax collectors.

## Proposed Changes

The bill amends s. 320.05(3)(b), F.S., to increase the fee charged for providing lists of motor vehicle or vessel records for the entire state, or any part or parts thereof, divided according to counties, a sum computed at a rate of 5 cents per item.

The bill amends s. 320.05(3)(e), F.S., removing the authority for the tax collector to retain the fee, adds language that the appropriate fee provided in paragraph (b) must be collected and deposited pursuant to paragraph (c), into the HSOTF.

## **Motor Vehicle Registration and Renewal, Retro reflectivity Fee (Sections 4 and 6)**

### Current Situation

Section 320.04(1)(a), F.S., authorizes a registration certificate service charge of \$2.50.

Section 320.06(1)(b), F.S., provides for registration license plates bearing a graphic symbol and the alphanumeric system of identification shall be issued for a six year period. At the end of that six year period, upon renewal, the plate shall be replaced. The department shall stagger the implementation of the 6-year license plate replacement cycle. The fee for such replacement is \$12, \$2 of which shall be paid each year before the plate is replaced, to be credited towards the next \$12 replacement fee. The fees shall be deposited into the HSOTF. A credit or refund shall not be given for any prior years' payments of such prorated replacement fee if the plate is replaced or surrendered before the end of the 6-year period, except that a credit may be given when a registrant is required by the department to replace a license plate under section 320.08056(8)(a), F.S.

Section 320.06(3)(b), F.S., authorizes a fee of \$0.50 charged on each original motor vehicle registration and each renewal of a motor vehicle registration to fund the cost of treating all license plates and validation stickers with reflective material. This fee is deposited into the HSOTF.

### Proposed Changes

The bill amends section 320.04(1)(a), F.S., relating to registration certificate service charge, increases service charge from \$2.50 to \$5.

The bill amends section 320.06(1)(b), F.S., for the renewal and replacement for the license plate from six years to ten years. The bill removes the requirement that the department shall stagger the implementation of the 6-year license plate replacement cycle. The bill adds a requirement that the department shall extend the scheduled license plate replacement date to a 10-year period effective July 1, 2009. The fee for such replacement is increased from \$12 to \$20. The credit or refund not given for prior payments of prorated replacement fee if replaced or surrendered is extended to the 10-year period.

For section 320.06(3)(b), F.S., the bill increases the charges for the original motor vehicle registration and the renewal of a motor vehicle registration for the treatment of all license plates and validation stickers with reflective material from \$0.50 to \$1.50.

## **Motor Vehicle License Plate Replacement or Original (Section 7)**

### Current Situation

Section 320.0607, F.S., provides that any law enforcement officer or department license and registration inspector may at any time inspect a license plate or validation decal for proper display and legibility as prescribed by chapter 316. A damaged or defaced plate or decal may be required to be replaced.

When a license plate, mobile home sticker, or validation decal has been lost, stolen, or destroyed, the owner of the motor vehicle or mobile home for which the plate, sticker, or decal was issued will make application to the department for a replacement. The application must contain the plate, sticker, or decal number being replaced and a statement that the item was lost, stolen, or destroyed. If the application includes a copy of the police report prepared in response to a report of a stolen plate, sticker, or decal, such plate, sticker, or decal must be replaced at no charge.

Upon filing of an application for a lost or destroyed replacement, a fee of \$10, plus applicable service charges, is collected by the department. The department shall issue a replacement plate, sticker, or decal as the case may be if it is satisfied that the information reported in the application is true. The replacement fee shall be deposited into the HSOTF.

Section 320.0607(5), F.S., provides upon the issuance of an original license plate, the applicant shall pay a fee of \$10 to be deposited in the HSOTF.

### Proposed Changes

The bill amends section 320.0607(3), F.S., increasing the fee of \$10 to \$20 plus applicable service charges, a replacement plate, sticker, or decal as the case may be if the department is satisfied that the information reported in the application is true.

The bill amends section 320.0607(5), F.S., increases the fee of \$10 to \$20 for original license plate.

### **Motor Vehicle Registration Additional Fee (Section 8)**

#### Current Situation

Section 320.072(1), F.S., authorizes a fee of \$100 imposed upon the initial application for registration pursuant to s. 320.06, F.S., of every motor vehicle classified in s. 320.08(2), (3), and (9)(c) and (d), F.S.

#### Proposed Changes

The bill amends section 320.072(1), F.S., increasing the fee of \$100 to \$200 imposed upon the initial application for registration.

### **Motor Vehicle Registration Fees (Sections 9 and 10)**

#### Current Situation

Section 320.08, F.S., authorizes base fees for each original motor vehicle registration and each renewal of a motor vehicle registration that is based on the weight of the vehicle.

Section 320.0801(1), F.S., imposes an additional surcharge of \$5 on each commercial motor vehicle, with a gross vehicle weight (GVW) of 10,000 pounds or more, for registration or renewal. The fee must be deposited in the State Transportation Trust Fund with the Department of Transportation.

#### Proposed Changes

The bill amends section 320.08, F.S., increasing the base fee for an original motor vehicle registration and the renewal of a motor vehicle registration.

The bill amends section 320.0801(1), F.S., increasing the additional surcharge from \$5 to \$10 on each commercial motor vehicle GVW 10,000 pounds or more for registration or renewal. The \$10 fee is split equally between GR and the State Transportation Trust Fund within the Department of Transportation.

### **Specialty License Plates; Prestige License Plates; Processing Fees (Sections 11, 12, 13, 14, 15, and 16)**

#### Current Situation

Section 320.0804, F.S., authorizes the surcharge on license tax imposed under section 320.08, F.S., of \$2 to be deposited in the State Transportation Trust Fund within the Department of Transportation.

Section 320.08048(1), F.S., authorizes the department, upon application and payment of a \$10 fee per plate, to provide one or more sample regular issuance license plates or specialty license plates based upon availability.

Section 320.0805(2)(c), F.S., authorizes the collection of a \$2.00 processing fee for the issuance of a personalized prestige license plate.

Section 320.08056(3)(b), F.S., authorizes the collection of a \$2.00 processing fee for the issuance of a specialty license plate.

Section 320.08058(35), F.S., authorizes the distribution of the Florida Golf specialty license plate fees to the Florida Sports Foundation.

Section 320.084(4)(b), F.S., provides a service charge in accordance section 320.04, F.S., for each initial application or renewal of registration of \$0.50 on each license plate and validation sticker as provided in section 320.06(3)(b), F.S.

### Proposed Changes

The bill amends section 320.0804, F.S., increasing the surcharge on license tax imposed under section 320.08, F.S., from \$2 to \$4. The \$2 increase is deposited in GR.

The bill amends section 320.08048(1), F.S., increasing the \$10 fee per plate to \$20.

The bill increases the processing fee for the issuance of a personalized prestige license plate and the processing fee for the issuance of a specialty license plate from \$2.00 to \$5.00.

The bill modifies section 320.08058(35), F.S., revising the distribution of the Florida Golf specialty license plate fees to the Dade Amateur Golf Association.

The bill amends section 320.084(4)(b), F.S., increasing the service charge in accordance section 320.04, F.S., for each initial application or renewal of registration from \$0.50 to \$1.50 on each license plate and validation sticker as provided in section 320.06(3)(b), F.S.

### **License Tax Fees (Sections 17 and 18)**

#### Current Situation

Section 320.20, F.S., specifies the annual distribution of vehicle license taxes for various constitutional and statutory purposes. To comply with constitutional requirements, the first proceeds from these taxes must be deposited into the district Capital Outlay and Debt Service School Trust Fund. Remaining distributions are made from the remaining collected taxes, primarily to the State Transportation Trust Fund with the Department of Transportation.

Section 320.203, F.S., specifies disposition of biennial license tax moneys as part of first proceeds for the remaining distributions.

#### Proposed Changes

The bill in section 320.20, F.S., creates a new distribution of vehicle license taxes. The first proceeds are to comply with constitutional requirements for deposit into the district Capital Outlay and Debt Service School Trust Fund. Fifty percent of the total revenues shall be deposited in GR. The distributions to GR will commence after the constitutional requirements are met. In June, of each year,

there will be a true-up payment to ensure GR is distributed the correct portion of the receipts. The remaining amount is deposited in the State Transportation Trust Fund within the Department of Transportation. The bill provides that beginning in FY 2015-16 the increased fee for motor vehicle registration be deposited into the State Transportation Trust Fund.

The bill amends section 320.203, F.S., adds section 320.20(5), F.S., to provision of disposition of biennial license tax moneys as part of first proceeds for the remaining distributions.

### **Motor Vehicle Dealership (Section 19)**

#### Current Situation

Section 320.642(1), F.S., requires a licensee who proposes to establish an additional motor vehicle dealership or permit the relocation of an existing dealer to a location within a community or territory where the same line-make vehicle is presently represented by a franchised motor vehicle dealer or dealers shall give written notice of its intention to the department. Immediately upon receipt of such notice the department shall cause a notice to be published in the Florida Administrative Weekly.

#### Proposed Changes

The bill provides that the licensee shall be assessed a \$75 fee to cover the cost of publication and a service charge of \$2.50 for each publication which is handled in connection with the establishment of an additional motor vehicle dealership or the relocation of an existing dealer as outlined in this section. The fee shall be deposited into the HSOTF.

### **Drivers License Records Fees (Section 21)**

#### Current Situation

Section 322.20(9), F.S., allows the department to furnish to any person, from the records of the Division of Driver Licenses, a list of the names, addresses, and birth dates of the licensed drivers of the entire state or any portion thereof by age group. In addition, the department may furnish to the courts, for the purpose of establishing jury selection lists, the names, addresses, and birth dates of the persons of the entire state or any portion thereof by age group having identification cards issued by the department. Each person who requests such information shall pay a fee, set by the department, of 1 cent per name listed, except that the department shall furnish such information without charge to the courts for the purpose of jury selection or to any state agency or to any state attorney, sheriff, or chief of police.

Section 322.20(11)(a), F.S., provides that the department is authorized to charge the following fees for the following services and documents:

- For providing a transcript of any one individual's driver history record for the past 3 years or for searching for records the fee shall be \$2.10.
- For providing a transcript of any one individual's driver history record for the past 7 years or for searching for records the fee shall be \$3.10.

#### Proposed Changes

The bill amends section 322.20(9), F.S., increasing the fee each person who requests such information shall pay from 1 cent per name listed to 5 cents.

The bill amends section 322.20(11)(a), F.S., increases what the department is authorized to charge the following fees for the following services and documents:

- For providing a transcript of any one individual's driver history record for the past 3 years or for searching for records from \$2.10 to \$10.00.



- For providing a transcript of any one individual's driver history record for the past 7 years or for searching for records from \$3.10 to \$14.00.

**B. SECTION DIRECTORY:**

**Section 1.** Amends section 318.15, F.S., increasing the amount and revising the disposition of a service charge for reinstatement of a driver license suspended for failure to pay civil penalties, attend driver improvement school, or appear at a scheduled hearing for a traffic infraction;

**Section 2.** Amends section 319.32, F.S., increasing fees for certain certificates of title; providing a fee for certain subsequent vehicle examinations; specifying criteria for such examinations; providing for disposition of the proceeds from the fees;

**Section 3.** Amends section 320.03, F.S., increasing the amount and revising the disposition of a fee for registration of a motor vehicle;

**Section 4.** Amends section 320.04, F.S., increasing a service charge on applications for an original or duplicate issuance or the transfer of any license plate, mobile home sticker, or validation sticker or for transfer or duplicate issuance of any registration certificate;

**Section 5.** Amends section 320.05, F.S., specifying the amount of a fee for lists of motor vehicle and vessel records; requiring a fee for registration data provided by electronic access through a tax collector's office; revising the disposition of proceeds from such fees;

**Section 6.** Amends section 320.06, F.S., revising the time period for which a registration license plate and replacement plates may be issued; revising fees for such replacement plates; increasing a fee for original and renewal registration;

**Section 7.** Amends section 320.0607, F.S., increasing fees for original or replacement license plates, validation decals, and mobile home stickers;

**Section 8.** Amends section 320.072, F.S., increasing a fee imposed on the initial registration application for certain vehicles;

**Section 9.** Amends section 320.08, F.S., increasing the annual license taxes for the operation of certain vehicles;

**Sections 10 and 11.** Amends sections 320.0801 and 320.0804, F.S., increasing and revising the disposition of surcharges on specified vehicles;

**Section 12.** Amends section 320.08048, F.S., increasing the fee for sample regular issuance license plates or specialty license plates;

**Section 13.** Amends section 320.0805, F.S. increasing a processing fee for a personalized prestige license plate;

**Section 14.** Amends section 320.08056, F.S., increasing a processing fee for a specialty license plate;

**Section 15.** Amends section 320.08058, F.S., revising the distribution of license plate fees;

**Section 16.** Amends section 320.084, F.S., conforming the amount of a fee to changes made in the bill;

**Sections 17 and 18.** Amends sections 320.20 and 320.203, F.S, revising the disposition of revenue derived from the registration of motor vehicles;

**Section 19.** Amends section 320.642, F.S., providing a fee and a service charge for publication and delivery of a notice given by certain licensed dealers; providing for disposition of moneys collected;

**Section 20.** Amends section 322.12, F.S., increasing the fee for certain driver's license examinations;

**Section 21.** Amends section 322.20, F.S., increasing fees for certain services and documents;

**Section 22.** Amends section 322.21, F.S., increasing fees for original, renewal, or extension of certain driver's licenses or identification cards; providing fees for a hearing on or a review of certain actions of the department;

**Section 23.** Amends section 322.29, F.S., increasing the amount and revising disposition of fees for applicants for return of a license suspended under specified provisions;

**Section 24.** Amends section 322.293, F.S., increasing the DUI program's assessment; and

**Section 25.** Provides and effective date.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

The total positive fiscal impact of the bill to state funds is \$737.6 million. The specific positive fiscal impact to GR is \$625.80 million in FY 2009-10 and increases to 834.2 million in FY 2010-11. The specific positive impact to the Highway Safety Operating Trust Fund is \$112 million in FY 2009-10 and increases to \$149.3 million in FY 2010-11.

The section-by-section breakdown of revenue impacts for FY 2009-10, by fund, is as follows:

- Sections 1, 22, and 23 of the bill increase revenues deposited in GR by \$9.8 million and the HSOTF by \$4.6 million.
- Section 2 of the bill increases revenues deposited in GR by \$62.7 million and the HSOTF by \$0.1 million.
- Section 3 of the bill increases revenues deposited in GR by \$0.6 million and the HSOTF by 7.4 million.
- Sections 5 and 21 of the bill increase revenues deposited in GR by \$5.4 million and the HSOTF by \$72.1 million.
- Sections 4, 6, and 7 of bill increases revenues deposited in GR by \$1.6 million and the HSOTF by \$21.1 million.
- Section 8 of the bill increases revenues deposited in GR by \$70.2 million.
- Sections 9 and 10 of the bill increase revenues deposited in GR by \$475.0 million.
- Sections 11 through 14, and 16 of the bill increase revenues deposited in GR by \$0.3 million and the HSOTF by \$4.2 million.
- Section 20 of the bill increases revenues deposited in GR by \$0.2 million and the HSOTF by \$2.3 million.

- Section 24 of the bill increases revenues deposited in the HSOTF by \$0.2 million.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Section 5 of the bill increases the fee charged for providing lists of motor vehicle or vessel records for the entire state from 1 cent per item to 5 cents per item. The increased costs to vendors purchasing these records will vary and the total impact is indeterminate.

Section 21 of the bill increases the fee for purchasing transcripts of any one individual's driver history record for the past 3 years, or for searching for such record when no record is found is from \$2.10 to \$10.00; and for the past 7 years, or for searching for such record when no record is found to be on file, from \$3.10 to \$14.00. The increased costs to vendors purchasing these transcripts will vary and the total impact is indeterminate.

D. FISCAL COMMENTS:

- Increased costs to businesses and residents in Florida will vary from the increased fees for Motor Vehicle Registrations, depending on the type vehicle registered. Some examples include:
  - Vehicles less than 2,500 pounds would increase from \$27.60 to \$55.20;
  - Vehicles from 2,501 to 3,500 pounds would increase from \$38.10 to \$76.20; and
  - Vehicles more than 3,500 pounds would increase from \$46.75 to \$93.50.
- There will also be an increased cost to Florida drivers associated with the fee increase for license renewals. Some examples include:
  - Original Driver License would increase from \$27 to \$30;
  - Driver License Renewal would increase from \$20 to \$22; and
  - Original Commercial Drivers License would increase from \$67 to \$74.
- Residents and businesses that do not abide by Florida Statutes and/or choose optional services may see higher increases from fines, penalties, and fees. Some examples include:
  - The administrative fee charged when the revocation or suspension of the driver's license was caused by a violation of section 316.193, F.S., or for the refusal to submit to a lawful breath, blood, or urine test is increased from \$115 to \$130.
  - A filing fee of \$12.00 for an applicant petitioning the department for a hardship hearing authorized in section 322.271, F.S, is created.

- The fees for reinstating a suspended driver's license are increased from \$35 to \$45; and the fees for reinstating a revoked license are increased from \$60 to \$75.
- The processing fee for the issuance of a personalized prestige license plate and the processing fee for the issuance of a specialty license plate are increased from \$2.00 to \$5.00.

### **III. COMMENTS**

#### **A. CONSTITUTIONAL ISSUES:**

##### **1. Applicability of Municipality/County Mandates Provision:**

This bill does not require counties or municipalities to spend funds or take action requiring the expenditure of funds. This bill does not reduce the percentage of state tax shared with counties or municipalities. This bill does not reduce the authority that municipalities have to raise revenue.

##### **2. Other:**

None.

#### **B. RULE-MAKING AUTHORITY:**

N/A

#### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

### **IV. AMENDMENTS/COUNCIL OR COMMITTEE SUBSTITUTE CHANGES**

On April 2, 2009, the Transportation & Economic Development Appropriations Committee adopted three amendments and reported the bill favorably.

- Amendment 1 increases the assessment for each person who enrolls in a DUI program by \$3 to cover the operating costs of the DUI program.
- Amendment 2 provides that beginning in FY 2015-16 the increased fees for motor vehicle registration be deposited into the State Transportation Trust Fund.
- Amendment 3 provides that beginning in FY 2015-16 the increased fees for initial registration and for certificate of title of a motor vehicle be deposited into the State Transportation Trust Fund.

On April 7, 2009, the Full Appropriations Council on Education & Economic Development adopted two amendments and reported the bill favorably.

- Amendment 1 clarifies that beginning in FY 2015-16 the disposition of fees for motor vehicle registration is deposited into the State Transportation Trust Fund.
- Amendment 2 modifies section 320.08058(35), F.S., to change the recipient of the Florida Golf specialty license plate fees from the Florida Sports Foundation to the Dade Amateur Golf Association.