

1989

Session Law 89-364

Florida Senate & House of Representatives

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S 1534 GENERAL BILL/CS/1ST ENG by Appropriations; Crawford and others (Compare H 184, H 253, H 287, H 337, H 929, H 1263, S 318, S 684, S 1233, 1ST ENG/S 1410, CS/CS/2ND ENG/S 1417, S 1459)

Motor Veh. Registration/Drug Abuse; provides for creation of Youth Enhancement Services Centers within school districts; requires approval of proposal for each center by dist. school bd. & D.O.E.; provides for additional fee on certain motor vehicle registration transactions; provides for semiannual registration of certain rental or leased motor vehicles; imposes surcharge on lease or rental of certain motor vehicles, etc. Amends 320.06, .0705; creates 212.0606, 230.69, 320.072. Appropriation: \$18,791,938. Effective Date: 10/01/89.

05/10/89 SENATE Filed; Introduction allowed; Introduced, referred to Finance, Taxation and Claims; Appropriations -SJ 297

05/12/89 SENATE On Committee agenda—Finance, Taxation and Claims, 05/16/89, 2:00 pm, Room-1C-(309); Extension of time granted Committee Finance, Taxation and Claims

05/16/89 SENATE Comm. Report: Favorable with 1 amendment(s) by Finance, Taxation and Claims -SJ 380

05/17/89 SENATE Now in Appropriations -SJ 380

05/18/89 SENATE Extension of time granted Committee Appropriations

05/19/89 SENATE On Committee agenda—Appropriations, 05/23/89, 1:00 pm, Room-A-(LL-37)

05/23/89 SENATE Comm. Report: CS by Appropriations, placed on Calendar -SJ 450

05/25/89 SENATE CS read first time -SJ 457

05/26/89 SENATE Placed on Special Order Calendar -SJ 477; CS passed; YEAS 32 NAYS 0 -SJ 491; Immediately certified -SJ 491

05/26/89 HOUSE In Messages

05/29/89 HOUSE Received, referred to Finance & Taxation; Appropriations -HJ 702; On Committee agenda—Finance & Taxation, 05/29/89, after session, upon adjournment of Rules Committee, 413-C—Not considered; On Committee agenda—Appropriations, 05/30/89, 8:00 am, 21-HOB—Not received

06/01/89 HOUSE On Committee agenda—Finance & Taxation, 06/01/89, 413-C at 7:09 pm; Preliminary Committee Action by Finance & Taxation: Favorable with 4 amendments; Comm. Report: Favorable with 4 amendment(s) by Finance & Taxation; Now in Appropriations; Withdrawn from Appropriations -HJ 1063; Placed on Calendar

06/02/89 HOUSE Read second time -HJ 1446; Amendments adopted; Read third time; CS passed as amended; YEAS 91 NAYS 22 -HJ 1448

06/02/89 SENATE In Messages; Concurred; CS passed as amended; YEAS 39 NAYS 0 -SJ 1302

06/02/89 Ordered engrossed, then enrolled -SJ 1302

06/20/89 Signed by Officers and presented to Governor

07/06/89 Became Law without Governor's Signature; Chapter No. 89-364; See also: CS/CS/SB 1417 (Ch. 89-298)

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NOTES: Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Beggs</u>	<u>Beggs</u>	1. <u>FTC</u>	<u>Fav/l amend.</u>
2. <u>Barrett</u>	<u>Smith</u>	2. <u>AP</u>	<u>Fav/CS</u>
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

Transportation

BILL NO. AND SPONSOR:

SB 1534 by Appropriations and Senators Crawford, Deratany, and Gardner

I. SUMMARY:

A. Present Situation:

All motor vehicles operated on the roads of Florida and owned by Florida residents must be registered pursuant to chapter 320, F.S., and display a license tag issued pursuant to that chapter. Vehicles owned by nonresidents must be registered pursuant to the laws of their home state or country. Persons employed in Florida or engaged in any trade, profession, or occupation in this state, or persons whose children are enrolled in Florida public schools are considered residents. Nonresident full time students are exempted from registering their vehicle for the duration on their enrollment.

Section 320.08, F.S., contains the various classes of motor vehicles and their respective license taxes. Subsection (2) taxes private automobiles, subsection (3) taxes trucks weighing not more than 5,000 pounds, subsection (6) taxes motor vehicles for hire, paragraph (9)(c) taxes motor homes, and paragraph (9)(d) taxes truck campers.

B. Effect of Proposed Changes:

The bill imposes a \$30 registration fee on all vehicles representing net additions to the stock in Florida. The fee applies to private autos, light trucks, motor vehicles for hire, motor homes and truck campers. The fee is charged on initial registrations in Florida where there is no transfer of registration from another motor vehicle. A refund is provided for those who might purchase a car before selling their old one, as long as the old car is disposed of in less than three months.

The bill provides various exemptions from this fee. These include transfers of title between co-owners, transfers of ownership by operation of law, including inheritance, foreclosure and bankruptcy, transfers of ownership between immediate family members, registration of vehicles by nonresident members of the armed forces stationed in Florida, governmentally owned vehicles, and farm vehicles not principally operated on the roads.

The bill requires that license plates issued for vehicles taxed under s. 320.08(6), F.S. be imprinted with the word "Florida" at the top and the word "Lease" at the bottom. The bill also provides that the owner of a motor vehicle taxed under s. 320.08(6)(a) may register such a vehicle for any 6-month period upon payment of a fee of \$2.50 for each such period; provided, notwithstanding any other provision of law.

The bill provides for a surcharge of 10 cents per day or any part of a day imposed upon the lease or rental of a motor

vehicle licensed for hire and designed to carry less than nine passengers regardless of whether such motor vehicle is licensed in Florida. The surcharge applies to only the first 30 days of the term of any lease or rental. The surcharge is taxable under s. 212.05

The bill authorizes the Department of Highway Safety and Motor Vehicles to:

--create 50 additional positions within the Highway Patrol which, along with current resources, shall be used to establish 35 full-time drug interdiction units consisting of two officers each and canine support solely for the purpose of drug crime surveillance and enforcement.

--provide a \$300 a month competitive pay adjustment for Highway Patrol officers, plus an additional \$50 a month for officers in Region One (South Florida) beginning November 1, 1989.

--provide an equity pay adjustment for Highway Patrol officers beginning November 1, 1989.

--provide a \$473,000 training program for all Highway Patrol officers in drug interdiction techniques and drug crime enforcement.

The bill appropriates from the Law Enforcement Trust Fund of the Department of Highway Safety and Motor Vehicles \$2.9 million to the Department of Corrections to pay for costs associated with this act.

The bill provides for a minimum term of imprisonment of 3 calendar years with no eligibility for parole or gain time during this period for specified violations of controlled substance laws. Additionally, violations of certain other controlled substance laws will require a sentence of a \$500 fine and service of 100 hours of public service in addition to any other penalty prescribed by law.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

Motor vehicles which represent additions to the stock in Florida would be required to pay an additional \$30 registration fee. This fee would primarily be paid by new residents moving into the state. Existing residents would also pay the fee to the extent that they acquire additional vehicles.

Renters and lessees of private autos, light trucks and motor homes, would pay an additional 10 cents per day on the first 30 days of their leases.

B. Government:

The \$30 registration fee would raise approximately \$14.2 million on an annualized basis and the 10 cents per day fee on rental cars would raise approximately \$2.5 million on an annualized basis, for a total of \$16.7 million. In 1989-90, the revenues raised from these two sources for the Law Enforcement Trust Fund during the 9 months they are in effect, would be \$11.3 million.

The bill provides the following 1989-90 appropriations from the Law Enforcement Trust Fund:

	<u>1989-90</u>	<u>Annualized</u>
50 Highway Patrol Officers	\$ 2,109,983	\$ 2,699,400
Competitive Pay Adjustment for Highway Patrol Officers	5,051,044	7,576,566
Equity Salary Adjustment for Highway patrol Officers	569,795	854,693
One Time Drug Crime Enforcement Training Program	473,000	
Department of Corrections	<u>\$ 2,900,000</u>	<u>\$2,900,000</u>
TOTAL	\$11,103,822	\$14,030,659

III. COMMENTS:

This act shall take effect October 1,1989.

IV. AMENDMENTS:

None.

STORAGE NAME: S1534sa.ft
DATE: June 1, 1989

SEE AMENDMENT SECTION

HOUSE OF REPRESENTATIVES
COMMITTEE ON FINANCE & TAXATION
STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: CS/SB/1534

RELATING TO: Transportation

SPONSOR(S): Committee on Appropriations; Senators Crawford, Deratany, and Gardner

EFFECTIVE DATE: October 1, 1989

COMPANION BILL(S): HB 184, HB 287, HB 337, HB 929, HB 1263

OTHER COMMITTEES OF REFERENCE: (1)

(2)

I. SUMMARY:

A. PRESENT SITUATION:

All motor vehicles operated on the roads of Florida and owned by Florida residents must be registered pursuant to chapter 320, F.S., and display a license tag issued pursuant to that chapter. Vehicles owned by nonresidents must be registered pursuant to the laws of their home state or country. Persons employed in Florida or engaged in any trade, profession, or occupation in this state, or persons whose children are enrolled in Florida public schools are considered residents. Nonresident full time students are exempted from registering their vehicle for the duration of their enrollment.

Section 320.08, F.S., contains the various classes of motor vehicles and their respective license taxes. Subsection (2) taxes private automobile, subsection (3) taxes trucks weighing not more than 5,000 pounds, subsection (6) taxes motor vehicles for hire, paragraph (9)(c) taxes motor homes, and paragraph (9)(d) taxes truck campers.

B. EFFECT OF PROPOSED CHANGES:

The bill imposes a \$30 registration fee on all vehicles which represent net additions to the stock of Florida automobiles. The fee applies to private autos, light trucks, motor homes and truck campers. The fee is charged on initial registration in Florida where there is no transfer of registration from another motor vehicle. A refund is provided for those who might purchase a car before selling their old one, as long as the old car is disposed of in less than three months.

The bill provides various exemptions from this fee. These include transfers of title between co-owners, transfers of

ownership by operation of law, including inheritance, foreclosure and bankruptcy, transfers of ownership between immediate family members, registration of vehicles by nonresident members of the armed forces stationed in Florida, governmentally owned vehicles, and farm vehicles not principally operated on the roads.

The bill requires that license plates issued for vehicles taxed under s. 320.08(6), F.S. be imprinted with the word "Florida" at the top and the word "Lease" at the bottom. The bill also provides that the owner of a motor vehicle taxed under s. 320.08(6)(a) may register such a vehicle for any 6-month period upon payment of a fee of \$2.50 for each such period. The bill provides for a surcharge of 10 cents per day to be imposed upon the lease or rental of a motor vehicle licensed for hire and designed to carry less than nine passengers regardless of whether such motor vehicle is licensed in Florida. The surcharge applies to only the first 30 days of the term of any lease or rental. The surcharge is taxable under s.212.05.

The bill authorizes the Department of Highway Safety and Motor Vehicles to:

create 50 additional positions within the Highway Patrol which, along with current resources, shall be used to establish 35 full-time drug interdiction units consisting of two officers each and canine support solely for the purpose of drug crime surveillance and enforcement;

provide a \$300 month competitive pay adjustment for Highway Patrol officers, plus an additional \$50 a month for officers in Region One (South Florida) beginning November 1, 1989;

provide an equity pay adjustment for Highway Patrol officers beginning November 1, 1989;

provide a \$473,000 training program for all Highway Patrol officers in drug interdiction techniques and drug crime enforcement.

The bill appropriates from the Law Enforcement Trust Fund of the Department of Highway Safety and Motor Vehicles \$2.9 million to the Department of Corrections to pay for costs associated with this act.

The bill provides for a minimum term of imprisonment of 3 calendar years with no eligibility for parole or gain time during this period for specified violations of controlled substance laws. Additionally, violations of certain other controlled substance laws will require a sentence of 100 hours of public service and a \$500 fine in addition to any other penalty prescribed by law.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

In FY 1989-90, the revenues raised from the \$30 per day registration fee and the 10 cents per day fee on rental cars will total an estimated \$11.3 million.

2. Recurring or Annualized Continuation Effects:

On a recurring basis, the \$30 registration fee will raise approximately \$14.2 million and the 10 cents per day rental car fee will raise approximately \$2.5 million.

3. Long Run Effects Other Than Normal Growth:

None

4. Appropriations Consequences:

50 Highway Patrol Officers	\$2,109,983	\$2,699,400
Competitive Pay Adjustment	5,051,044	7,576,566
Equity Salary Adjustment	569,795	854,693
Drug Crime Training Program	473,000	
<u>Department of Corrections</u>	<u>\$ 2,900,000</u>	<u>\$2,900,000</u>
TOTAL	\$11,103,822	14,030,659

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

None

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

Motor vehicles which represent net additions to the stock of motor vehicles will be required to pay an additional \$30 registration fee. This fee will be born primarily by new residents moving into the state. Also, renters and lessees of autos and light trucks will pay an additional 10 cents per day on the first 30 days of their leases.

2. Direct Private Sector Benefits:

3. Effects on Competition, Private Enterprise, and Employment Markets:

D. FISCAL COMMENTS:

III. LONG RANGE CONSEQUENCES:

IV. COMMENTS:

V. AMENDMENTS:

Four amendments were adopted by the Committee on Finance & Taxation. The effect of the amendments is to remove the minimum mandatory sentence for certain violations of controlled substance laws. Also, a technical amendment was adopted to clarify the half-year tag option for vehicles for hire.

VI. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:

Staff Director:

STORAGE NAME: S1534s.ft

DATE: May 28, 1989

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SECOND COMMITTEE OF REFERENCE:

Prepared by:


Alan W. Johansen

Staff Director:


Jose' Diez-Arguelles

APPROPRIATIONS:

Prepared by:

Staff Director:
