



Procedures & Requirements

Specialty License Plate and Voluntary Contribution Organizations



Purpose & Objectives

- The procedures are intended to serve as a resource to organizations, pass-through organizations, and/or sub recipients designated by Florida law to receive and/or expend fees collected from specialty license plate/voluntary contributions.
- It is the intent of the Department to inform organizations, pass-through organizations, direct support organizations, and/or sub recipients of specific reporting and procedural requirements, as defined by Florida Statute; to include establishing consistencies in determining allowable expenditures of the specialty license plate/voluntary contribution use fees.

Key Topics

Definitions

This section defines keywords and phrases that are referenced throughout Florida Statutes and the procedures associated with specialty license plate/voluntary contribution use fees.

Procedures

This section provides an overview of the auditing, compliance affidavit requirements, and allowable/disallowable expenditures, as well as the penalties associated with specialty license plate/voluntary contribution procedures.

Statutes & Resources

This section provides a list of specific Florida Statutes associated with specialty license plate/voluntary contribution organization procedures and hyperlinks where the rules and laws may be assessed.

Contact Information

This section identifies important contact information that can provide imperative information associated with procedures, policies, and requirements of organizations expending specialty license plate/voluntary contribution use fees.

Definitions

Below are keywords and phrases, as well as definitions that are referenced throughout Florida Statutes and the procedures associated with specialty license plate/voluntary contributions.

Administrative Expenses

Expenditures of specialty license plate use fees that are considered operating costs of the organization. Examples of these costs include but are not limited to:

- a. Administrative salaries of employees and officers of the organization who do not, or cannot prove, via to detailed daily time sheets, that they actively participate in program activities.
- b. Bookkeeping and support services of the organization.
- c. Office supplies and equipment not directly utilized for the specified program(s).
- d. Travel time, per diem, mileage reimbursement, and lodging expenses not directly associated with a specified program purpose.
- e. Paper, printing, envelopes, and postage not directly associated with a specified program purpose.
- f. Miscellaneous expenses such as food, beverage, entertainment, and conventions.

These expenses are permissible only if specifically authorized by s. 320.08058, F.S. or s. 320.08062, F.S. Voluntary Contribution funds may not be used for general administrative or marketing expenses based on the following Florida Statutes: s. 320.023(5), F.S. and s. 322.081(5), F.S.

Compliance Affidavit

The affidavit is of the form and format prescribed by the Department and must be completed in its entirety and signed by the organization’s chairperson or executive director and notarized by a notary public. Any organization expending less than \$750,000 of state financial assistance, no matter if funds are received from one or more state agencies for different purposes, within a fiscal year must submit an annual **compliance affidavit**. Pursuant to s. 320.08062, F.S. the annual affidavit shall be submitted to the department within nine months after the end of the organization’s fiscal year.

Department

The Florida Department of Highway Safety and Motor Vehicles.

Definitions

Below are keywords and phrases, as well as definitions that are referenced throughout Florida Statutes and the procedures associated with specialty license plate/voluntary contributions.

Disallowed Expenses	Any expenditure of specialty license plate/voluntary contribution use fees that does not comply with Florida Statutes; and any expenditure, whether authorized or not, that cannot be substantiated with a detailed general ledger, employee time sheet, or a receipt, etc.
Fiscal Year/Calendar Year	Each organization's financial reporting period.
Organization	The entity designated by law to receive and/or expend specialty license plate/voluntary contribution use fees. Pass-through organizations and sub-recipients are included.
Pass-through	The organization receiving specialty license plate/voluntary contribution use fees directly from the Department. Per statutes, this organization distributes the fees to sub-recipients.
Program	Those activities and purposes detailed in the s. 320.08058, F.S. or s. 320.08062, F.S. pertaining to each organization's expenditures of specialty license plate/voluntary contribution use fees. Programs are established by law in general and more specifically identified on the organization's website and mission statement.
Program Expenses	<p>Those expenditures of specialty license plate/voluntary contribution use fees incurred by an organization solely for the purposes approved by the Legislature and identified in the organization's original application to the Department of Highway Safety and Motor Vehicles. The laws applicable to these program expenses can be found in s. 320.08058, F.S. or s. 320.08062, F.S. Allowable expenditures include:</p> <ol style="list-style-type: none"> a. Salaries of employees and officers of the organization who can prove, via detailed daily time sheets, that they actively participated in program activities. b. Office supplies and equipment directly utilized for the specified program(s).

Definitions

Below are keywords and phrases, as well as definitions that are referenced throughout Florida Statutes and the procedures associated with specialty license plate/voluntary contributions.

Program Expenses (cont.)

- c. Travel time, mileage reimbursement, and lodging expenses directly associated with a specified program purpose.
- d. Paper, printing, envelopes, and postage directly associated with a specified program purpose.
- e. The organization’s internet site that provides the public with information about the approved program(s).
- f. Contracted goods and services directly associated with a specified program purpose.

Promotion and Marketing Expenses

Costs associated with the promotion & marketing of the organization’s specialty plate fee & concept. These costs may include but are not limited to:

- a. The organization’s web site,
- b. Mass media advertisements, and
- c. Organizational mail-outs and the corresponding postage.

Expenses are permissible only if specifically authorized by s. 320.08058, F.S. or s. 320.08062, F.S.

Voluntary Contribution funds may not be used for general administrative or marketing expenses based on the following Florida Statutes: s. 320.023(5), F.S. and s. 322.081(5), F.S.

Sub-recipient

An organization that does not receive use fees directly from the Department. These organizations receive their use fees from a pass-through organization the statutes have identified as the recipient of fees from the Department. The sub-recipient expends the use fees in compliance with statutes. The pass-through organization is responsible for monitoring the expenditures of the sub-recipient organizations.

Definitions

Below are keywords and phrases, as well as definitions that are referenced throughout Florida Statutes and these procedures associated with specialty license plate/voluntary contribution organizations.

<p>Single Audit</p>	<p>A nonstate entity’s financial statement that is prepared and reviewed by a Certified Public Accountant (CPA) and reported to the Department and Auditor General’s Office for organizations expending \$750,000 or more of state financial assistance in the organization’s fiscal/calendar year. It determines that all expenditures and procedures were performed in compliance with Florida Statutes.</p>
<p>Start-up Costs</p>	<p>Expenses incurred to establish the specialty license plate organization. These expenses are permissible only if specifically authorized by s. 320.08058, F.S. and s. 320.08062, F.S.</p>
<p>Use Fees</p>	<p>The money an organization receives from the Department from the sale of its specialty license plate. With a few exceptions, use fees are generally distributed on a weekly basis by the Department.</p>

Procedures

Below is an overview of auditing procedures associated with specialty license plate/voluntary contributions, as well as penalties associated with non-compliance of said procedures.

Audits

Any organization expending \$750,000 or more of state funds , no matter if the funds are received from one or more state agencies for different purposes, within a fiscal year should have a **single source audit** performed by a C.P.A. Included in the audit report will be a statement by the C.P.A. about the organization’s compliance with applicable laws pertaining to the expenditure of specialty license plate use fees. Pursuant to Auditor General Rule 10.657, copies of the single audit report package must be submitted to the Auditor General and to the Department “within 45 days after delivery of the audit report package to the auditee, but no later than nine months after the end of the fiscal year of the auditee.” The Auditor General Checklist **must** be completed and submitted as well.

Section 320.08062(3), Florida Statute, states; “the Department has the authority to examine all records pertaining to the use of funds from the sale of specialty license plate/voluntary contributions.”

Penalties

In the event an organization does not comply with the auditing requirements set forth by Florida Statutes, the Department may withhold funds accordingly.

Document Retention

- Organizations are required to retain all documentation relating to specialty license plate/voluntary contributions for a minimum of five years.

Procedures

Below is an overview of the compliance affidavit requirements associated with specialty license plate/voluntary contributions, as well as penalties associated with non-compliance of procedures and requirements.

Compliance Affidavits

The Compliance Affidavit is a Department form that must be completed and submitted with all required signatures annually to the Department when the \$750,000 threshold criteria for a single audit is not met. This form can be obtained at and pursuant to s. 320.08062, Florida Statute, the annual affidavit shall be submitted to the Department within nine months after the end of the organization's fiscal year. These forms can be located by clicking on the appropriate links here, [Specialty License Plate](#) or [Voluntary Contribution](#) Organizations.

Penalties

In the event an organization does not comply with the compliance affidavit requirements set forth by Florida Statutes, the Department may withhold funds accordingly.

Procedures

Below is an overview of the allowable/disallowable expenditures associated with specialty license plate/voluntary contributions, as well as penalties associated with non-compliance of procedures and requirements.

Expenditures

The five expenditures allowable by Florida Statutes include program and project, annual audit or compliance affidavit, administrative, start-up, and promotion and marketing costs. Some organizations may not be permitted these types of expenditures. **If the purpose of an organization's expenditure of license plate use fees is not specified in statute, it is disallowed.**

- **Programs and projects** are established and reported as the primary benefits obtained from the use of specialty license plate/voluntary contribution use fees when the organization initially applies for a specialty license plate/voluntary contributions. The purchases made for programs and projects are to fulfill the objective of the organization by providing benefits for the citizens, economy, education, environment, or wildlife of the State of Florida.
- When an organization meets the minimum requirements for a **single audit** as per s. 215.97 and s. 320.08062, Florida Statute, it may utilize use fees to pay for the annual audit. When the organization is required to submit an audit and its sources of funds are from the Department and other State of Florida agencies, the use of specialty license plate/voluntary contribution use fees for the audit will only be permitted in the ratio of expenditures of specialty plate fees to all other expenditures for the fiscal year.

For organizations that submit an annual **compliance affidavit**, the actual costs associated with the preparation of the document may be reimbursed using license plate use fees. The normal accounting function of the organization is an administrative expense and is not part of the expenses associated with the completion and submission of the compliance affidavit.

Procedures

Below is an overview of the allowable/disallowable expenditures associated with specialty license plate/voluntary contributions, as well as penalties associated with non-compliance of said procedures.

Expenditures (cont.)

- The expenditure of specialty license plate/voluntary contribution use fees for **Administrative costs** are permitted only if specifically stated in F.S. 320.08058 as it pertains to each organization's specialty license plate/voluntary contributions. These expenditures are allowed as reimbursement for the organization's miscellaneous/overhead costs. Expenditures for administrative costs are permitted up to the statutorily authorized percentage of the organization's total use fees received from the Department provided such administrative expenses are documented. If an organization does not expend all of its authorized administrative fees in a particular year, the balance may **not** be carried over to the next year. The utilization of use fees to pay for administrative costs will not be permitted for an organization unless specifically stated in s. 320.08062, Florida Statute, or their applicable section of 320.08058, Florida Statute. **Also, administrative expenditures exceeding the organization's authorized percentage will be disallowed.**
- Only when specified in an organization's applicable section of 320.08058, Florida Statute, may **start-up costs** be reimbursed from specialty license plate/voluntary contribution use fees. It is the responsibility of the organization to record and maintain an itemized list of all startup costs. This detailed listing will be submitted to the Department within 60 days subsequent to the approval of an organization's specialty license plate. Also, a running decreasing balance must be maintained and reported to the Department each year until all such costs have been recovered.

Procedures

Below is an overview of the allowable/disallowable expenditures associated with specialty license plate/voluntary contributions, as well as penalties associated with non-compliance of procedures and requirements.

Expenditures (cont.)

- **The promotion and marketing costs** of an organization’s specialty license plate/voluntary contributions permitted only when specified in an organization’s applicable section of 320.08058 and s. 320.08062, Florida Statute. Promotion and marketing expenditures exceeding the organization’s authorized percentage may not be reimbursed using specialty license plate use fees. If an organization does not expend all of its authorized promotion and marketing fees in a particular year, the balance may **not** be carried over to the next year.

Lobbying or for-profit activities are not an allowable expense as per s. 320.081, Florida Statute

Penalties

In the event an organization reports, or the Department determines through audit or review that the organization has expended specialty license plate/voluntary contribution use fees for purposes other than what is permitted by law, or is unable to substantiate an expenditure, the Department may withhold funds accordingly.

Document Retention

- Organizations are required to retain all documentation relating to specialty license plate/voluntary contribution for a minimum of five years.

Records Access

- The department has the authority to examine all records pertaining to specialty license plate/voluntary contributions per 320.08062(3), F.S. 320.023(7), F.S. 322.081(7), and F.S. 215.97(8)(d)

Statutes & Resources

Below is a list of specific Florida Statutes associated with specialty license plate/voluntary contribution procedures and hyperlinks where the rules and laws may be assessed.

- Florida Statutes 215.97
- Florida Statutes 320.08053
- Florida Statutes 320.08056
- Florida Statutes 320.08058
- Florida Statutes 320.08062
- Florida Statutes 322.081
- Florida Statutes 320.023
- Rules of the Auditor General 10.550 or 10.650

The web sites for these laws and rules can be accessed by clicking on the following hyperlinks.

- [Florida Statutes](#)
- [Rules of the Auditor General](#)

Contact Information

Division of Motorist Services
Bureau of Issuance Oversight
(850) 617-3001

BrittanyClose@flhsmv.gov

JeanetteCollins@flhsmv.gov

PaulaStanfield@flhsmv.gov

