

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION \_\_\_\_\_ (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

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1 Committee/Subcommittee hearing bill: Appropriations Committee  
2 Representative Grant, J. offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:  
6 Section 1. Subsections (18) through (46) of section  
7 322.01, Florida Statutes, are renumbered as subsections (25)  
8 through (53), respectively, and new subsections (18), (19),  
9 (20), (21), (22), (23), and (24) are added to that section, to  
10 read:

11 322.01 Definitions.—As used in this chapter:

12 (18) "Electronic" means relating to technology having  
13 electrical, digital, magnetic, wireless, optical,  
14 electromagnetic, or similar capabilities.

15 (19) "Electronic credential" means an electronic  
16 representation of a physical driver license or identification

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17 card which is viewable on an electronic credential system  
18 capable of being verified and authenticated.

19 (20) "Electronic credential holder" means a person to whom  
20 an electronic credential has been issued.

21 (21) "Electronic credential provider" means an entity  
22 contracted with the department to provide electronic credentials  
23 to electronic credential holders.

24 (22) "Electronic credential system" means a computer  
25 system used to display or transmit electronic credentials to a  
26 person or verification system and that can be accessed using an  
27 electronic device.

28 (23) "Electronic device" means a device or a portion of a  
29 device that is designed for and capable of communicating across  
30 a computer network with other computers or devices for the  
31 purpose of transmitting, receiving, or storing data, including,  
32 but not limited to, a cellular telephone, tablet, or other  
33 portable device designed for and capable of communicating with  
34 or across a computer network, and is used to render an  
35 electronic credential.

36 Section 2. Section 322.032, Florida Statutes, is amended  
37 to read:

38 322.032 Electronic credential ~~Digital proof of driver~~  
39 ~~license.-~~

40 (1)(a) The department shall develop and implement ~~begin to~~  
41 ~~review and prepare for the development of~~ a secure and uniform

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42 protocols which comply with national standards ~~system~~ for  
43 issuing an optional electronic credential. The department shall  
44 procure the related technology solution that uses a revenue  
45 sharing model through a competitive solicitation process  
46 pursuant to s. 287.057 ~~digital proof of driver license.~~ The  
47 department may issue electronic credentials to persons who hold  
48 a Florida driver license or identification card. The electronic  
49 credential and verification solution must have the necessary  
50 technological capabilities to execute the authentication of an  
51 electronic credential across all states, jurisdictions, federal  
52 and state agencies, and municipalities. The electronic  
53 credential and verification solution must provide the system  
54 integration necessary:

55 1. For qualified and authorized entities to securely  
56 consume an electronic credential.

57 2. For the production of a fully compliant electronic  
58 credential by qualified and authorized electronic credential  
59 providers.

60 3. To successfully ensure secure authentication and  
61 validation of data from disparate sources.

62 (b) The department shall procure ~~contract with~~ one or more  
63 electronic credential providers through the competitive  
64 solicitation process ~~private entities~~ to develop and implement a  
65 secure electronic credential ~~a digital proof of driver license~~  
66 system.

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67        (c) The department shall maintain the protocols and  
68 national standards necessary for an electronic credential  
69 provider to request authorized access to an application  
70 programming interface, or appropriate technological tool of at  
71 least the same capabilities, necessary for such private entity  
72 to consume an electronic credential. The department shall timely  
73 review requests for authorized access and must approve all  
74 requests by electronic credential providers that meet the  
75 department's requirements. The department may assess a fee for  
76 use of the electronic credential and verification solution.

77        (d) The department shall provide electronic credential  
78 providers access to a standardized digital transaction process  
79 that provides the proceeds of a completed financial transaction  
80 to the department at the point of sale. The standardized digital  
81 transaction process must enable electronic credential providers  
82 to direct through their electronic commerce workflow to a  
83 standardized checkout process and enable documentation of the  
84 electronic credential providers participating in a transaction.  
85 Revenue generated from use of the electronic credential system  
86 shall be collected by the department and distributed pursuant to  
87 a legislative appropriation and department agreements with  
88 electronic credential providers. Any revenue shared between the  
89 state and electronic credential providers shall be based solely  
90 on revenues derived from the purchase of an electronic  
91 credential and may not be derived from any other transaction.

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92 The department shall enter into agreements with electronic  
93 credential providers that provide the permitted uses, terms and  
94 conditions, privacy policy, and uniform remittance terms  
95 relating to the consumption of an electronic credential.

96 (2) (a) The electronic credential ~~digital proof of driver~~  
97 ~~license~~ developed by the department or by an electronic  
98 credential provider ~~an entity~~ contracted by the department must  
99 be in such a format as to allow law enforcement or an authorized  
100 consumer to verify the authenticity of the electronic credential  
101 and the identity of the credential holder and to validate the  
102 status of any driving privileges associated with the electronic  
103 credential ~~digital proof of driver license~~. The department shall  
104 adhere to protocols and national standards ~~may adopt rules~~ to  
105 ensure valid authentication of electronic credentials ~~digital~~  
106 ~~driver licenses~~ by law enforcement.

107 (b) The act of presenting to a law enforcement officer an  
108 electronic device displaying an electronic credential does not  
109 constitute consent for the officer to access any information on  
110 the device other than the electronic credential.

111 (c) The person who presents the device to the officer  
112 assumes liability for any resulting damage to the device.

113 (3) A person may not be issued an electronic credential ~~a~~  
114 ~~digital proof of driver license~~ until he or she has satisfied  
115 all of the requirements of this chapter for issuance of a  
116 physical driver license or identification card as provided in

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117 | this chapter.

118 |       (4) A person who:

119 |       (a) Manufactures a false electronic credential ~~digital~~  
120 | ~~proof of driver license~~ commits a felony of the third degree,  
121 | punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

122 |       (b) Possesses a false electronic credential ~~digital proof~~  
123 | ~~of driver license~~ commits a misdemeanor of the second degree,  
124 | punishable as provided in s. 775.082.

125 |       Section 3. Section 322.059, Florida Statutes, is amended  
126 | to read:

127 |       322.059 Mandatory surrender of suspended driver license  
128 | and registration.—A person whose driver license or registration  
129 | has been suspended as provided in s. 322.058 must immediately  
130 | return his or her driver license and registration to the  
131 | Department of Highway Safety and Motor Vehicles. The department  
132 | shall invalidate the electronic credential ~~digital proof of~~  
133 | ~~driver license~~ issued pursuant to s. 322.032 for such person. If  
134 | such person fails to return his or her driver license or  
135 | registration, a law enforcement agent may seize the license or  
136 | registration while the driver license or registration is  
137 | suspended.

138 |       Section 4. Paragraph (c) of subsection (1) of section  
139 | 322.143, Florida Statutes, is amended to read:

140 |       322.143 Use of a driver license or identification card.—

141 |       (1) As used in this section, the term:

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142 (c) "Swipe" means the act of passing a driver license or  
143 identification card through a device that is capable of  
144 deciphering, in an electronically readable format, the  
145 information electronically encoded in a magnetic strip or bar  
146 code on the driver license or identification card or consuming  
147 an electronic credential.

148 Section 5. Subsection (1) of section 322.15, Florida  
149 Statutes, is amended to read:

150 322.15 License to be carried and exhibited on demand;  
151 fingerprint to be imprinted upon a citation.—

152 (1) Every licensee shall have his or her driver license,  
153 which must be fully legible with no portion of such license  
154 faded, altered, mutilated, or defaced, in his or her immediate  
155 possession at all times when operating a motor vehicle and shall  
156 present or submit the same upon the demand of a law enforcement  
157 officer or an authorized representative of the department. A  
158 licensee may present or submit an electronic credential ~~a~~  
159 ~~digital proof of driver license~~ as provided in s. 322.032 in  
160 lieu of a physical driver license.

161 Section 6. Subsection (4) of section 322.61, Florida  
162 Statutes, is amended to read:

163 322.61 Disqualification from operating a commercial motor  
164 vehicle.—

165 (4) Any person who is transporting hazardous materials as  
166 defined in s. 322.01(31) ~~s. 322.01(24)~~ shall, upon conviction of

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167 an offense specified in subsection (3), be disqualified from  
168 operating a commercial motor vehicle for a period of 3 years.  
169 The penalty provided in this subsection shall be in addition to  
170 any other applicable penalty.

171 Section 7. This act shall take effect July 1, 2019.

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173 **T I T L E A M E N D M E N T**

174 Remove everything before the enacting clause and insert:

175 A bill to be entitled

176 An act relating to information technology; amending s.

177 322.01, F.S.; providing definitions; amending s.

178 322.032, F.S.; directing the Department of Highway

179 Safety and Motor Vehicles to implement protocols for

180 issuing an optional electronic credential and procure

181 a related technology solution and electronic

182 credential providers; providing requirements for the

183 electronic credential and verification solution;

184 requiring the department to maintain certain protocols

185 and national standards; requiring the department to

186 timely review and approve all electronic credential

187 provider requests for authorized access to certain

188 interfaces that meet the agency's requirements;

189 authorizing the department to assess a fee; requiring

190 that the department provide electronic credential

191 providers access to a standardized digital transaction



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192 process that has specified capabilities; providing for  
193 the collection and distribution of certain revenue;  
194 requiring the department to enter into specified  
195 agreements with electronic credential providers;  
196 requiring that an electronic credential be in a format  
197 that allows certain entities to verify the  
198 authenticity of such electronic credential and to  
199 validate certain privileges; providing that presenting  
200 an electronic device displaying an electronic  
201 credential does not constitute consent for a law  
202 enforcement officer to access any other information on  
203 such device; providing for the assumption of  
204 liability; amending s. 322.059, F.S.; conforming a  
205 provision to changes made by the act; amending s.  
206 322.143, F.S.; revising a definition; amending s.  
207 322.15, F.S.; conforming a provision to changes made  
208 by the act; amending s. 322.61, F.S.; conforming a  
209 cross-reference; providing an effective date.