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HB 185

2018 Legislature

1  
2 An act relating to redirection of fees to tax  
3 collectors; amending s. 322.12, F.S.; providing for  
4 allocation of fees from certain driver license  
5 examinations administered by tax collectors; amending  
6 s. 322.21, F.S.; providing for allocation of fees from  
7 certain driver license reinstatement services  
8 performed by tax collectors; providing an effective  
9 date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Subsection (1) of section 322.12, Florida  
14 Statutes, is amended to read:

15 322.12 Examination of applicants.—

16 (1) It is the intent of the Legislature that every  
17 applicant for an original driver license in this state be  
18 required to pass an examination pursuant to this section.  
19 However, the department may waive the knowledge, endorsement,  
20 and skills tests for an applicant who is otherwise qualified and  
21 who surrenders a valid driver license from another state or a  
22 province of Canada, or a valid driver license issued by the  
23 United States Armed Forces, if the driver applies for a Florida  
24 license of an equal or lesser classification. An ~~Any~~ applicant  
25 who fails to pass the initial knowledge test incurs a \$10 fee

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26 | for each subsequent test, to be deposited into the Highway  
27 | Safety Operating Trust Fund, except that if a subsequent test is  
28 | administered by the tax collector, the tax collector shall  
29 | retain such \$10 fee, less the general revenue service charge set  
30 | forth in s. 215.20(1). ~~An~~ Any applicant who fails to pass the  
31 | initial skills test incurs a \$20 fee for each subsequent test,  
32 | to be deposited into the Highway Safety Operating Trust Fund,  
33 | except that if a subsequent test is administered by the tax  
34 | collector, the tax collector shall retain such \$20 fee, less the  
35 | general revenue service charge set forth in s. 215.20(1). A  
36 | person who seeks to retain a hazardous-materials endorsement,  
37 | pursuant to s. 322.57(1)(e), must pass the hazardous-materials  
38 | test, upon surrendering his or her commercial driver license, if  
39 | the person has not taken and passed the hazardous-materials test  
40 | within 2 years before applying for a commercial driver license  
41 | in this state.

42 | Section 2. Subsection (8) of section 322.21, Florida  
43 | Statutes, is amended to read:

44 | 322.21 License fees; procedure for handling and collecting  
45 | fees.—

46 | (8) ~~A~~ Any person who applies for reinstatement following  
47 | the suspension or revocation of the person's driver license must  
48 | pay a service fee of \$45 following a suspension, and \$75  
49 | following a revocation, which is in addition to the fee for a  
50 | license. ~~A~~ Any person who applies for reinstatement of a

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51 commercial driver license following the disqualification of the  
 52 person's privilege to operate a commercial motor vehicle shall  
 53 pay a service fee of \$75, which is in addition to the fee for a  
 54 license. The department shall collect all of these fees at the  
 55 time of reinstatement. The department shall issue proper  
 56 receipts for such fees and shall promptly transmit all funds  
 57 received by it as follows:

58 (a) Of the \$45 fee received from a licensee for  
 59 reinstatement following a suspension:

60 1. If the reinstatement is processed by the department,  
 61 the department shall deposit \$15 in the General Revenue Fund and  
 62 \$30 in the Highway Safety Operating Trust Fund.

63 2. If the reinstatement is processed by the tax collector,  
 64 \$15, less the general revenue service charge set forth in s.  
 65 215.20(1), shall be retained by the tax collector, \$15 shall be  
 66 deposited into the Highway Safety Operating Trust Fund, and \$15  
 67 shall be deposited into the General Revenue Fund.

68 (b) Of the \$75 fee received from a licensee for  
 69 reinstatement following a revocation or disqualification:

70 1. If the reinstatement is processed by the department,  
 71 the department shall deposit \$35 in the General Revenue Fund and  
 72 \$40 in the Highway Safety Operating Trust Fund.

73 2. If the reinstatement is processed by the tax collector,  
 74 \$20, less the general revenue service charge set forth in s.  
 75 215.20(1), shall be retained by the tax collector, \$20 shall be

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76 deposited into the Highway Safety Operating Trust Fund, and \$35  
77 shall be deposited into the General Revenue Fund.

78  
79 If the revocation or suspension of the driver license was for a  
80 violation of s. 316.193, or for refusal to submit to a lawful  
81 breath, blood, or urine test, an additional fee of \$130 must be  
82 charged. However, only one \$130 fee may be collected from one  
83 person convicted of violations arising out of the same incident.  
84 The department shall collect the \$130 fee and deposit the fee  
85 into the Highway Safety Operating Trust Fund at the time of  
86 reinstatement of the person's driver license, but the fee may  
87 not be collected if the suspension or revocation is overturned.  
88 If the revocation or suspension of the driver license was for a  
89 conviction for a violation of s. 817.234(8) or (9) or s.  
90 817.505, an additional fee of \$180 is imposed for each offense.  
91 The department shall collect and deposit the additional fee into  
92 the Highway Safety Operating Trust Fund at the time of  
93 reinstatement of the person's driver license.

94 Section 3. This act shall take effect July 1, 2018.