

By Senator Silver

38-1617-98

See HB 797

1 A bill to be entitled
2 An act relating to driver's licenses; amending
3 s. 322.12, F.S.; requiring tests of certain
4 elderly drivers at designated intervals;
5 amending s. 322.121, F.S.; basing license
6 reexaminations on point assessments; amending
7 s. 322.18, F.S.; providing for a 3-year license
8 for certain drivers; amending s. 322.21, F.S.;
9 revising the fee for certain original or
10 renewal driver's licenses; providing an
11 effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Subsection (6) is added to section 322.12,
16 Florida Statutes, to read:

17 322.12 Examination of applicants.--

18 (6)(a) The department shall examine every applicant
19 for an original driver's license, or renewal thereof, every 3
20 years after the attainment of the licensee's 75th birthday.

21 (b) Any applicant or licensee who has attained the age
22 of 73 years and 6 months, but is not older than 75 years of
23 age, may be issued a Florida driver's license valid through
24 midnight of the applicant's 78th birthday.

25 (c) All examinations and reexaminations conducted by
26 the department, pursuant to this subsection, shall include
27 vision, hearing, and other such tests as deemed necessary by
28 the department.

29 (d) The department is authorized to adjust the
30 expiration date of any issued license necessary to comply with
31 the provisions of this subsection.

1 Section 2. Section 322.121, Florida Statutes, is
2 amended to read:

3 322.121 Periodic reexamination of all drivers.--

4 ~~(1) It is the intent of the Legislature that all~~
5 ~~licensed drivers in Florida be reexamined upon renewal of~~
6 ~~their licenses. Because only a small percentage of drivers in~~
7 ~~the state are categorized as problem drivers, the Legislature~~
8 ~~intends that the large number of drivers who have not had any~~
9 ~~convictions for the 3 years preceding renewal and whose~~
10 ~~driving privilege in this state has not been revoked,~~
11 ~~disqualified, or suspended at any time during the 7 years~~
12 ~~preceding renewal be processed expeditiously upon renewal of~~
13 ~~their licenses by examinations of their eyesight and hearing~~
14 ~~only and that all other licensees be tested, in addition to~~
15 ~~the eyesight and hearing examinations, with respect to their~~
16 ~~ability to read and understand highway signs regulating,~~
17 ~~warning, and directing traffic.~~

18 (1)(2) Each licensee must pass a reexamination at the
19 time of renewal, except as otherwise provided in this chapter.
20 For each licensee whose driving record does not show
21 assessment of more than three points during any convictions
22 for the preceding 3 years or any revocations,
23 disqualifications, or suspensions for the preceding 7 years;
24 and who, at the time of renewal, presents a renewal notice
25 verifying such safe driving record, the reexamination shall
26 consist of tests of the licensee's eyesight and hearing. For
27 all other licensees, in addition to the eyesight and hearing
28 tests, the reexamination must include tests of the ability to
29 read and understand highway signs and pavement markings
30 regulating, warning, and directing traffic.

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1 (2)~~(3)~~ For each licensee whose driving record does not
2 show assessment of more than three points during any
3 ~~revocations, disqualifications, or suspensions for the~~
4 ~~preceding 7 years or any convictions for the preceding 3~~
5 ~~years, except for convictions of the following nonmoving~~
6 ~~violations:~~

7 ~~(a) Failure to exhibit a vehicle registration~~
8 ~~certificate, rental agreement, or cab card pursuant to s.~~
9 ~~320.0605(1);~~

10 ~~(b) Failure to renew a motor vehicle or mobile home~~
11 ~~registration that has been expired for 4 months or less~~
12 ~~pursuant to s. 320.07(3)(a);~~

13 ~~(c) Operating a motor vehicle with an expired license~~
14 ~~that has been expired for 4 months or less pursuant to s.~~
15 ~~322.065;~~

16 ~~(d) Failure to carry or exhibit a license pursuant to~~
17 ~~s. 322.15(1); or~~

18 ~~(e) Failure to notify the department of a change of~~
19 ~~address or name within 10 days pursuant to s. 322.19,~~

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21 the department shall cause such licensee's license to be
22 prominently marked with the notation "Safe Driver."

23 (3)~~(4)~~ Eyesight examinations must be administered as
24 provided in s. 322.12.

25 (4)~~(5)~~ An examination fee may not be assessed for
26 reexamination required by this section.

27 (5)~~(6)~~ Members of the Armed Forces, or their
28 dependents residing with them, shall be granted an automatic
29 extension for the expiration of their licenses without
30 reexamination while serving on active duty outside this state.
31 This extension is valid for 90 days after the member of the

2 live.

3 ~~___(7)~~ In addition to any other examination authorized

5 driver's license may be required to complete successfully an

6 examination of his or her knowledge regarding state and

8 vehicle which he or she is applying to be licensed to operate.

9 ~~___(8)~~ In addition to any other examination authorized

11 issued under s. 322.57(1)(a), (b), (c), (d), or (e) may be

12 required to complete successfully an examination of his or her

14 laws, governing the type of vehicle which he or she is seeking

15 an endorsement to operate.

17 322.18, Florida Statutes, are amended to read:

18 322.18 Original applications, licenses, and renewals;

20 (2) Each applicant who is entitled to the issuance of

21 a driver's license, as provided in this section, shall be

23 (a) An applicant applying for an original issuance

24 shall be issued a driver's license which expires at midnight

26 sixth anniversary of the date of issue. An applicant for an

28 original license who is 75 years of age or older shall be

29 next birthday that occurs on or after the third anniversary of

31 the date of issue.

1 (b) An applicant applying for a renewal issuance or
2 renewal extension whose driving record reflects assessment of
3 no more than three points for the preceding 3 years shall be
4 issued a driver's license or renewal extension sticker which
5 expires at midnight on the licensee's birthday which next
6 occurs 6 ~~4~~ years after the month of expiration of the license
7 being renewed, ~~except that a driver whose driving record~~
8 ~~reflects no convictions for the preceding 3 years shall be~~
9 ~~issued a driver's license or renewal extension sticker which~~
10 ~~expires at midnight on the licensee's birthday which next~~
11 ~~occurs 6 years after the month of expiration of the license~~
12 ~~being renewed.~~

13 (4) Except as otherwise provided in this chapter, all
14 licenses shall be renewable every 3 ~~4~~ years or 6 years,
15 depending upon the terms of issuance and shall be issued or
16 extended upon application, payment of the fees required by s.
17 322.21, and successful passage of any required examination,
18 unless the department has reason to believe that the licensee
19 is no longer qualified to receive a license.

20 (8) The department shall issue ~~4-year and 6-year~~
21 license extensions by mail, electronic, or telephonic means
22 without reexamination for no more than 2 consecutive license
23 extensions.

24 (a) If the department determines from its records that
25 the holder of a license about to expire is eligible for
26 renewal, the department shall mail a renewal notice to the
27 licensee at his or her last known address, not less than 30
28 days prior to the licensee's birthday. The renewal notice
29 shall direct the licensee to appear at a driver license office
30 for in-person renewal or to transmit the completed renewal
31 notice and the fees required by s. 322.21 to the department by

1 mail, electronically, or telephonically within the 30 days
2 preceding the licensee's birthday for a license extension.
3 License extensions shall not be available to drivers directed
4 to appear for in-person renewal.

5 (b) Upon receipt of a properly completed renewal
6 notice, payment of the required fees, and upon determining
7 that the licensee is still eligible for renewal, the
8 department shall send a license extension sticker to the
9 licensee to affix to the expiring license as evidence that the
10 license term has been extended.

11 (c) ~~The department shall issue license extensions for~~
12 ~~two consecutive license expirations only.~~ Upon expiration of
13 a second two consecutive license extension period periods,
14 in-person renewal with reexamination as provided in s. 322.121
15 shall be required. A person who is out of this state when his
16 or her license expires may be issued a 90-day temporary
17 driving permit without reexamination. At the end of the 90-day
18 period, the person must either return to this state or apply
19 for a license where the person is located, except for a member
20 of the Armed Forces as provided in s. 322.121(5)(6).

21 (d) In-person renewal at a driver license office shall
22 not be available to drivers whose records indicate they were
23 directed to apply for a license extension.

24 (e) Any person who knowingly possesses any forged,
25 stolen, fictitious, counterfeit, or unlawfully issued license
26 extension sticker, unless possession by such person has been
27 duly authorized by the department, commits a misdemeanor of
28 the second degree, punishable as provided in s. 775.082 or s.
29 775.083.

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1 (f) The department shall develop a plan for the
 2 equitable distribution of license extensions and renewals and

4 Section 4. Subsection (1) of section 322.21, Florida
 5 Statutes, is amended to read:

7 collecting fees.--

8 (1) Except as otherwise provided herein, the fee for:

10 is \$50, which shall include the fee for driver education
 11 provided by s. 233.063; however, if an applicant has completed

13 employed in a public or nonpublic school system that requires
 14 the commercial license, the fee shall be the same as for a

16 added for a renewal made not more than 12 months after the
 17 license expiration date.

19 \$10 for a license issued for 3 years and \$20 for a license
issued for 6 years~~\$20~~

21 driver's education provided by s. 233.063; however, if an
 22 applicant has completed training and is applying for

24 school system that requires a commercial driver license, the
 25 fee shall be the same as for a Class E license.

27 driver's license issued for 3 years is \$7.50, and the renewal
or extension of a Class D or Class E driver's license issued

29 _____ or ~~of~~

30 is \$15, except that a delinquent fee of \$1 shall be added for
 31 a renewal or extension made not more than 12 months after the

1 license expiration date. The fee provided in this paragraph
2 shall include the fee for driver's education provided by s.
3 233.063.

4 (d) An original driver's license restricted to
5 motorcycle use only is \$20, which shall include the fee for
6 driver's education provided by s. 233.063.

7 (e) Each endorsement required by s. 322.57 is \$5.
8 Section 5. This act shall take effect July 1, 1998.

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LEGISLATIVE SUMMARY

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Requires tests of certain elderly drivers at designated
intervals. Revises provisions governing reexaminations
and criteria for being designated a safe driver. Provides
for a 3-year license for certain drivers and revises fees
for issuance and renewal of licenses.

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