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2 An act relating to driver licenses; amending s.
3 322.02, F.S.; providing legislative intent with
4 regard to the delivery of driver license
5 services; authorizing county tax collectors to
6 serve as exclusive agents of the Department of
7 Highway Safety and Motor Vehicles; amending s.
8 322.135, F.S.; providing an application process
9 for county tax collectors to serve as exclusive
10 agents; creating the Cost Determination and
11 Allocation Task Force; establishing the duties
12 and responsibilities of the task force;
13 providing for the development of transition
14 plans to transfer certain responsibilities to
15 tax collectors; providing an effective date.
16

17 Be It Enacted by the Legislature of the State of Florida:
18

19 Section 1. Section 322.02, Florida Statutes, is
20 amended to read:

21 322.02 Legislative intent;administration.--

22 (1) The Legislature finds that over the past several
23 years the department and individual county tax collectors have
24 entered into contracts for the delivery of full and limited
25 driver license services where such contractual relationships
26 best served the public interest through state administration
27 and enforcement and local government implementation. It is
28 the intent of the Legislature that future interests and
29 processes for developing and expanding the department's
30 relationship with tax collectors through contractual
31 relationships for the delivery of driver license services be

1 achieved through the provisions of this chapter, thereby
2 servng best the public interest considering accountability,
3 cost-effectiveness, efficiency, responsiveness, and
4 high-quality service to the drivers in Florida.

5 ~~(2)(1)~~ The Department of Highway Safety and Motor
6 Vehicles is charged with the administration and function of
7 enforcement of the provisions of this chapter.

8 ~~(3)(2)~~ The department shall employ a director, who is
9 charged with the duty of serving as the executive officer of
10 the Division of Driver Licenses of the department insofar as
11 the administration of this chapter is concerned. He or she
12 shall be subject to the supervision and direction of the
13 department, and his or her official actions and decisions as
14 executive officer shall be conclusive unless the same are
15 superseded or reversed by the department or by a court of
16 competent jurisdiction.

17 ~~(4)(3)~~ The department shall have the authority to
18 enter into reciprocal driver's license agreements with other
19 jurisdictions within the United States and its territories and
20 possessions and with foreign countries or political entities
21 equivalent to Florida state government within a foreign
22 country.

23 (5) The tax collector in and for his or her county may
24 be designated the exclusive agent of the department to
25 implement and administer the provisions of this chapter as
26 provided by s. 322.135(5).

27 ~~(6)(4)~~ The department shall make and adopt rules and
28 regulations for the orderly administration of this chapter.

29 Section 2. Subsections (5), (6), (7), and (8) are
30 added to section 322.135, Florida Statutes, to read:

31 322.135 Driver's license agents.--

1 (5) The county tax collector at his or her option may
2 apply to the department for approval by the executive director
3 to be the exclusive agent of the department for his or her
4 county to administer driver license services as provided and
5 authorized in this chapter.

6 (a) The application by the county tax collector shall
7 be in writing to the executive director of the department. The
8 application must be submitted by September 1 to be effective
9 for the state's subsequent fiscal year beginning July 1.

10 (b) The department shall provide a form for such
11 application, which shall include the following information
12 unless this information has been included in the report
13 submitted by the Cost Determination and Allocation Task Force:

14 1. Locations within the county where offices and
15 branch offices for driver license services are proposed.

16 2. The designation by the tax collector of the driver
17 license functions to be performed by the tax collector in the
18 county.

19 3. Any anticipated capital acquisition or construction
20 costs.

21 4. A projection of equipment available or to be
22 provided by the department.

23 5. All anticipated operating costs, including
24 facilities, equipment, and personnel to administer driver
25 license services.

26 (c) The department shall review applications on or
27 before September 1 of each year. The department shall compare
28 the costs included in the information submitted in the
29 application with the related costs incurred by the department
30 to accomplish the same level of services. The department
31 shall approve or deny an application within 60 calendar days

1 after the application is received unless the department and
2 the applicant agree mutually to a specific alternative date.

3 (d) The department may provide technical assistance to
4 an applicant upon request.

5 (6) Administration of driver license services by a
6 county tax collector as the exclusive agent of the department
7 must be revenue neutral with no adverse state fiscal impact
8 and with no adverse unfunded mandate to the tax collector.

9 Toward this end, the Cost Determination and Allocation Task
10 Force is created, to be established by July 1, 2001. The task
11 force shall be composed of two representatives appointed by
12 the executive director of the department, two tax collectors
13 appointed by the president of The Florida Tax Collectors,
14 Inc., one from a small-population county and one from a
15 large-population county; one person appointed by the Speaker
16 of the House of Representatives; one person appointed by the
17 President of the Senate; and the Governor's appointee. If
18 requested by the task force, the Auditor General must provide
19 technical assistance. The purpose of the task force is to
20 recommend the allocation of cost between the Department of
21 Highway Safety and Motor Vehicles and tax collectors to
22 administer driver license services authorized in this chapter.
23 These recommendations must be submitted in a written report by
24 January 1, 2002. The task force shall dissolve on January 1,
25 2002. The written report shall be presented to the President
26 of the Senate, the Speaker of the House of Representatives,
27 and the Executive Office of the Governor, and shall contain
28 findings and determinations and related allocation
29 recommendations dealing with costs, both construction and
30 operating costs, of both the department and the applicable tax
31 collectors, appropriate allocations of costs between the

1 department and the tax collectors, and fee recommendations to
2 assure that the fees paid for these driver license services do
3 not result in a loss of revenue to the state in excess of
4 costs incurred by the state.

5 (7) Upon approval by the department for a tax
6 collector to provide exclusive driver license services in a
7 county, the department and the applicable tax collector shall
8 develop a transition plan for the orderly transfer of service
9 responsibilities to the tax collector. This plan shall
10 include, but is not limited to:

11 (a) The specifics of any possible use of any
12 state-owned or leased facilities giving consideration to lease
13 expiration date, cancellation provisions, and possibilities
14 for sublease of such facilities.

15 (b) Consideration of staffing needs of the tax
16 collector, either the assumption by the collector or
17 departmental relocation of employees adversely affected.

18 (c) The execution of a standard agreement between the
19 department and the tax collector for providing driver license
20 services.

21 (8) The county tax collector, as the exclusive agent
22 of the Department of Highway Safety and Motor Vehicles, shall
23 be paid fees for driver license services.

24 Section 3. This act shall take effect upon becoming a
25 law.