

By the Committee on Transportation and Senator Lee

306-1755-01

1                                   A bill to be entitled  
2           An act relating to driver's licenses; amending  
3           s. 322.02, F.S.; providing legislative intent  
4           with regard to the delivery of driver's 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.  
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17 Be It Enacted by the Legislature of the State of Florida:  
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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's 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 serving 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's 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's license services are proposed.

16           2. The designation by the tax collector of the  
17 driver's license functions to be performed by the tax  
18 collector in the 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's  
25 license services.

26           (c) The department shall review applications on or  
27 before September 1 of each year. The department will 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's 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 Auditor General or his or her  
18 designee. The purpose of the task force is to recommend the  
19 allocation of costs between the Department of Highway Safety  
20 and Motor Vehicles and tax collectors to administer driver's  
21 license services authorized in this chapter. It is in the  
22 public interest to have these recommendations by the task  
23 force submitted in a written report by January 1, 2002. The  
24 written report shall be presented to the President of the  
25 Senate, the Speaker of the House of Representatives, and the  
26 Executive Office of the Governor, and shall contain findings  
27 and determinations and related allocation recommendations  
28 dealing with costs, both construction and operating costs, of  
29 both the department and the applicable tax collectors,  
30 appropriate allocations of costs between the department and  
31 the tax collectors, and fee recommendations to assure that the

1 fees paid for these driver's license services do not result in  
2 a loss of revenue to the state in excess of costs incurred by  
3 the state.

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

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

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

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

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

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

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
SB 1276

This CS provides that county tax collectors may be designated the exclusive agent of the Department of Highway Safety and Motor Vehicles (DHSMV) for the local administration of driver license services.

The CS establishes an application process for tax collectors to apply to DHSMV to serve as the exclusive agent.

The CS provides that the administration of driver license services by the tax collector as the exclusive agent of DHSMV must be revenue neutral with no adverse state fiscal impact and with no adverse unfunded mandate to the tax collector.

This CS provides for the creation of a Cost Determination and Allocation Task Force to determine and allocate cost between the Department and tax collectors for the administration of driver license services. The CS also provides for the development of transition plans to facilitate, where applicable, the orderly transfer of service responsibilities to the tax collector.