

By the Committees on Comprehensive Planning, Local and Military Affairs; Transportation; and Senator Lee

316-1872-01

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A bill to be entitled

An act relating to driver's licenses; amending s. 322.02, F.S.; providing legislative intent with regard to the delivery of driver's license services; authorizing county tax collectors to serve as exclusive agents of the Department of Highway Safety and Motor Vehicles; amending s. 322.135, F.S.; providing an application process for county tax collectors to serve as exclusive agents; creating the Cost Determination and Allocation Task Force; establishing the duties and responsibilities of the task force; providing for the development of transition plans to transfer certain responsibilities to tax collectors; providing an effective date.

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

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

322.02 Legislative intent;administration.--

(1) The Legislature finds that over the past several years the department and individual county tax collectors have entered into contracts for the delivery of full and limited driver's license services where such contractual relationships best served the public interest through state administration and enforcement and local government implementation. It is the intent of the Legislature that future interests and processes for developing and expanding the department's relationship with tax collectors through contractual 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15 superseded or reversed by the department or by a court of  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 Governor's appointee. The  
18 Auditor General must provide technical assistance to the task  
19 force. The purpose of the task force is to recommend the  
20 allocation of costs between the Department of Highway Safety  
21 and Motor Vehicles and tax collectors to administer driver's  
22 license services authorized in this chapter. These  
23 recommendations must be submitted in a written report by  
24 January 1, 2002. The task force is abolished 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's license services  
3 do 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's 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's license services.

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

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1                   STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
2                                   COMMITTEE SUBSTITUTE FOR  
3                                                 CS/SB 1276  
4   This CS makes the following changes to the bill:  
5   replaces the Auditor General with the Governor's appointee as  
6   a member of the task force;  
7   requires the Auditor General to provide technical assistance  
8   to the task force;  
9   abolishes the task force on January 1, 2002; and  
10  deletes the provision that requires the fees paid for drivers'  
11  license services to the tax collector be determined by the  
12  task force.  
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