

By Representative Greenstein

1 A bill to be entitled
2 An act relating to driver's licenses; amending
3 s. 322.12, F.S.; limiting waiver of certain
4 tests to drivers under a certain age; amending
5 s. 322.121, F.S.; requiring periodic
6 reexamination of drivers over a certain age;
7 amending s. 322.18, F.S.; revising provisions
8 relating to issuance and renewal of driver's
9 licenses with regard to applicants over a
10 certain age; providing an effective date.

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

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

16 322.12 Examination of applicants.--

17 (1) It is the intent of the Legislature that every
18 applicant for an original driver's license in this state be
19 required to pass an examination pursuant to this section.
20 However, the department may waive the knowledge, endorsement,
21 and skills tests for an applicant under 75 years of age who is
22 otherwise qualified and who surrenders a valid driver's
23 license from another state or a province of Canada, or a valid
24 driver's license issued by the United States Armed Forces, if
25 the driver applies for a Florida license of an equal or lesser
26 classification. A person who seeks to retain a
27 hazardous-materials endorsement, pursuant to s. 322.57(1)(d),
28 must pass the hazardous-materials test, upon surrendering his
29 or her commercial driver's license, if the person has not
30 taken and passed the hazardous-materials test within 2 years

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1 preceding his or her application for a commercial driver's
2 license in this state.

3 Section 2. Subsections (1) and (2) of section 322.121,
4 Florida Statutes, are amended to read:

5 322.121 Periodic reexamination of all drivers.--

6 (1) It is the intent of the Legislature that all
7 licensed drivers in Florida be reexamined upon renewal of
8 their licenses. Because only a small percentage of drivers in
9 the state are categorized as problem drivers, the Legislature
10 intends that the large number of drivers under 75 years of age
11 who have not had any convictions for the 3 years preceding
12 renewal and whose driving privilege in this state has not been
13 revoked, disqualified, or suspended at any time during the 7
14 years preceding renewal be processed expeditiously upon
15 renewal of their licenses by examinations of their eyesight
16 and hearing only and that all other licensees be tested, in
17 addition to the eyesight and hearing examinations, with
18 respect to their ability to read and understand highway signs
19 regulating, warning, and directing traffic.

20 (2) Each licensee must pass a reexamination at the
21 time of renewal, except as otherwise provided in this chapter.
22 For each licensee under 75 years of age whose driving record
23 does not show any convictions for the preceding 3 years or any
24 revocations, disqualifications, or suspensions for the
25 preceding 7 years; and who, at the time of renewal, presents a
26 renewal notice verifying such safe driving record, the
27 reexamination shall consist of tests of the licensee's
28 eyesight and hearing. For all other licensees, in addition to
29 the eyesight and hearing tests, the reexamination must include
30 tests of the ability to read and understand highway signs and
31 pavement markings regulating, warning, and directing traffic.

1 Section 3. Subsections (2), (4), and (8) of section
2 322.18, Florida Statutes, are amended to read:

3 322.18 Original applications, licenses, and renewals;
4 expiration of licenses; delinquent licenses.--

5 (1)(a) Except as provided in paragraph (b), the
6 department may issue an original driver's license only after
7 the applicant successfully passes the required examinations
8 and presents the application to the department.

9 (b) The department may waive the driver's license
10 examination requirement if the applicant is otherwise
11 qualified and surrenders a valid license issued by another
12 state, a province of Canada, or the United States Armed Forces
13 which is of an equal or lesser classification as provided in
14 s. 322.12.

15 (2) Each applicant who is entitled to the issuance of
16 a driver's license, as provided in this section, shall be
17 issued a driver's license, as follows:

18 (a)1. An applicant under 75 years of age applying for
19 an original issuance shall be issued a driver's license which
20 expires at midnight on the licensee's birthday which next
21 occurs on or after the sixth anniversary of the date of issue.

22 2. An applicant 75 years of age or older, but less
23 than 85 years of age, applying for an original issuance shall
24 be issued a driver's license which expires at midnight on the
25 licensee's birthday which next occurs on or after the fourth
26 anniversary of the date of issue.

27 3. An applicant 85 years of age or older applying for
28 an original issuance shall be issued a driver's license which
29 expires at midnight on the licensee's birthday which next
30 occurs on or after the second anniversary of the date of
31 issue.

1 (b) An applicant under 75 years of age applying for a
2 renewal issuance or renewal extension shall be issued a
3 driver's license or renewal extension sticker which expires at
4 midnight on the licensee's birthday which next occurs 4 years
5 after the month of expiration of the license being renewed,
6 except that a driver under 75 years of age whose driving
7 record reflects no convictions for the preceding 3 years shall
8 be issued a driver's license or renewal extension sticker
9 which expires at midnight on the licensee's birthday which
10 next occurs 6 years after the month of expiration of the
11 license being renewed.

12 (c) An applicant 75 years of age or older, but less
13 than 85 years of age, applying for a renewal issuance or
14 renewal extension shall be issued a driver's license or
15 renewal extension sticker which expires at midnight on the
16 licensee's birthday which next occurs 4 years after the month
17 of expiration of the license being renewed.

18 (d) An applicant 85 years of age or older applying for
19 a renewal issuance or renewal extension shall be issued a
20 driver's license or renewal extension sticker which expires at
21 midnight on the licensee's birthday which next occurs 2 years
22 after the month of expiration of the license being renewed.

23 (4) Except as otherwise provided in this chapter, all
24 licenses shall be renewable every 2 years, 4 years, or 6
25 years, depending upon the terms of issuance and shall be
26 issued or extended upon application, payment of the fees
27 required by s. 322.21, and successful passage of any required
28 examination, unless the department has reason to believe that
29 the licensee is no longer qualified to receive a license.

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1 (8) The department shall issue 4-year and 6-year
2 license extensions to drivers under 75 years of age by mail,
3 electronic, or telephonic means without reexamination.

4 (a) If the department determines from its records that
5 the holder of a license about to expire is eligible for
6 renewal, the department shall mail a renewal notice to the
7 licensee at his or her last known address, not less than 30
8 days prior to the licensee's birthday. The renewal notice
9 shall direct the licensee to appear at a driver license office
10 for in-person renewal or to transmit the completed renewal
11 notice and the fees required by s. 322.21 to the department by
12 mail, electronically, or telephonically within the 30 days
13 preceding the licensee's birthday for a license extension.
14 License extensions shall not be available to drivers directed
15 to appear for in-person renewal.

16 (b) Upon receipt of a properly completed renewal
17 notice, payment of the required fees, and upon determining
18 that the licensee is still eligible for renewal, the
19 department shall send a license extension sticker to the
20 licensee to affix to the expiring license as evidence that the
21 license term has been extended.

22 (c) The department shall issue license extensions for
23 two consecutive license expirations only. Upon expiration of
24 two consecutive license extension periods, in-person renewal
25 with reexamination as provided in s. 322.121 shall be
26 required. A person who is out of this state when his or her
27 license expires may be issued a 90-day temporary driving
28 permit without reexamination. At the end of the 90-day period,
29 the person must either return to this state or apply for a
30 license where the person is located, except for a member of
31 the Armed Forces as provided in s. 322.121(6).

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

4 (e) Any person who knowingly possesses any forged,
5 stolen, fictitious, counterfeit, or unlawfully issued license
6 extension sticker, unless possession by such person has been
7 duly authorized by the department, commits a misdemeanor of
8 the second degree, punishable as provided in s. 775.082 or s.
9 775.083.

10 (f) The department shall develop a plan for the
11 equitable distribution of license extensions and renewals and
12 the orderly implementation of this section.

13 Section 4. This act shall take effect July 1, 2001.

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15 HOUSE SUMMARY

16 Limits waiver of certain tests to drivers under a certain
17 age. Requires periodic reexamination of drivers over a
18 certain age. Revises provisions relating to issuance and
19 renewal of driver's licenses with regard to applicants
20 over a certain age.