

1                                   A bill to be entitled  
2           An act relating to the issuance of drivers'  
3           licenses; amending s. 322.01, F.S.; defining  
4           the term "county tax collector" to mean an  
5           authorized agent of the Department of Highway  
6           Safety and Motor Vehicles; defining the term  
7           "exclusive agent county tax collector";  
8           amending ss. 322.03, 322.05, F.S., relating to  
9           the issuance of drivers' licenses; authorizing  
10          the county tax collector to issue drivers'  
11          licenses; prohibiting the county tax collector  
12          from issuing licenses to certain persons;  
13          amending s. 322.051, F.S.; authorizing the  
14          county tax collector to issue identification  
15          cards; providing for the tax collector to  
16          retain the fee; amending s. 322.059, F.S.;  
17          providing for a driver's license to be  
18          surrendered to the county tax collector;  
19          amending ss. 322.07, 322.09, F.S.; authorizing  
20          the county tax collector to issue instruction  
21          permits and temporary licenses; amending s.  
22          322.091, F.S., relating to requirements for  
23          school attendance; conforming provisions to  
24          changes made by the act; amending s. 322.12,  
25          F.S.; authorizing the county tax collector to  
26          perform driver's license examinations;  
27          providing for the tax collector to retain a  
28          portion of the fee; amending s. 322.135, F.S.;  
29          providing for certain counties to retain fees  
30          related to driver's license functions;  
31          providing a fiscal limitation; amending ss.

1 322.121, 322.13, 322.14, F.S., relating to  
 2 reexaminations and examiners; conforming  
 3 provisions to changes made by the act; amending  
 4 ss. 322.141, 322.142, 322.161, 322.1615, F.S.,  
 5 relating to the color and types of licenses;  
 6 conforming provisions to changes made by the  
 7 act; amending s. 322.17, F.S.; authorizing the  
 8 county tax collector to issue duplicate and  
 9 replacement licenses and change-of-address  
 10 stickers; revising distribution of the fee;  
 11 providing for the tax collector to retain a  
 12 portion of the fee; amending s. 322.18, F.S.,  
 13 relating to license applications and expiration  
 14 of licenses; conforming provisions to changes  
 15 made by the act; amending s. 322.20, F.S.;  
 16 requiring the county tax collector to maintain  
 17 certain records; amending s. 322.21, F.S.;  
 18 requiring that the county tax collector provide  
 19 personnel to perform the duties specified under  
 20 the act; providing for the county tax collector  
 21 to retain a portion of certain fees; amending  
 22 s. 322.221, F.S.; authorizing the county tax  
 23 collector to require reexamination of a  
 24 licensed driver; amending s. 322.251, F.S.;  
 25 providing for a cancelled, suspended, or  
 26 revoked driver's license to be surrendered to  
 27 the county tax collector; amending s. 322.282,  
 28 F.S.; providing for the county tax collector to  
 29 issue a temporary driver's permit under certain  
 30 circumstances; amending s. 322.32, F.S.,  
 31 relating to penalties imposed for failure to

1           surrender a driver's license; conforming  
2           provisions to changes made by the act;  
3           requiring the Auditor General to conduct a  
4           review of certain aspects of certain tax  
5           collectors operating the driver's license  
6           program; providing effective dates.

7

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

9

10           Section 1. Present subsections (11) through (17) of  
11 section 322.01, Florida Statutes, are redesignated as  
12 subsections (12) through (18), respectively, and new  
13 subsections (11) and (19) are added to that section, and  
14 present subsections (18) through (42) of that section are  
15 redesignated as subsections (20) through (44), respectively,  
16 to read:

17           322.01 Definitions.--As used in this chapter:

18           (11) "County tax collector" means the county tax  
19 collectors of this state performing as:

20           (a) Authorized by contract; or

21           (b) Exclusive agents of the department.

22           (19) "Exclusive agent county tax collectors" means the  
23 county tax collectors for Bradford, Escambia, Hillsborough,  
24 Manatee, Pinellas, Saint Johns, and Taylor counties.

25           Section 2. Subsection (2) and paragraph (a) of  
26 subsection (3) of section 322.03, Florida Statutes, are  
27 amended to read:

28           322.03 Drivers must be licensed; penalties.--

29           (2) Prior to issuing a driver's license, the  
30 department or an authorized or exclusive agent county tax  
31 collector shall require any person who has been convicted two

1 or more times of a violation of s. 316.193 or of a  
2 substantially similar alcohol-related or drug-related offense  
3 outside this state within the preceding 5 years, or who has  
4 been convicted of three or more such offenses within the  
5 preceding 10 years, to present proof of successful completion  
6 of or enrollment in a department-approved substance abuse  
7 education course. If the person fails to complete such  
8 education course within 90 days after issuance, the department  
9 shall cancel the license. Further, prior to issuing the  
10 driver's license the department or county tax collector shall  
11 require such person to present proof of financial  
12 responsibility as provided in s. 324.031. For the purposes of  
13 this paragraph, a previous conviction for violation of former  
14 s. 316.028, former s. 316.1931, or former s. 860.01 shall be  
15 considered a previous conviction for violation of s. 316.193.

16 (3)(a) The department or an authorized or exclusive  
17 agent county tax collector may not issue a commercial driver's  
18 license to any person who is not a resident of this state.

19 Section 3. Section 322.05, Florida Statutes, is  
20 amended to read:

21 322.05 Persons not to be licensed.--The department or  
22 an authorized or exclusive agent county tax collector may not  
23 issue a license:

24 (1) To a person who is under the age of 16 years,  
25 except that the department or an authorized or exclusive agent  
26 county tax collector may issue a learner's driver's license to  
27 a person who is at least 15 years of age and who meets the  
28 requirements of ss. 322.091 and 322.1615 and of any other  
29 applicable law or rule.

30  
31

1           (2) To a person who is at least 16 years of age but is  
2 under 18 years of age unless the person meets the requirements  
3 of s. 322.091 and holds a valid:

4           (a) Learner's driver's license for at least 12 months,  
5 with no traffic convictions, before applying for a license;

6           (b) Learner's driver's license for at least 12 months  
7 and who has a traffic conviction but elects to attend a  
8 traffic driving school for which adjudication must be withheld  
9 pursuant to s. 318.14; or

10           (c) License that was issued in another state or in a  
11 foreign jurisdiction and that would not be subject to  
12 suspension or revocation under the laws of this state.

13           (3) To a person who is at least 16 years of age but  
14 who is under 18 years of age, unless the parent, guardian, or  
15 other responsible adult meeting the requirements of s. 322.09  
16 certifies that he or she, or another licensed driver 21 years  
17 of age or older, has accompanied the applicant for a total of  
18 not less than 50 hours' behind-the-wheel experience, of which  
19 not less than 10 hours must be at night. This subsection is  
20 not intended to create a private cause of action as a result  
21 of the certification. The certification is inadmissible for  
22 any purpose in any civil proceeding.

23           (4) Except as provided by this subsection, to any  
24 person, as a Class A licensee, Class B licensee, Class C  
25 licensee, or Class D licensee, who is under the age of 18  
26 years. A person age 16 or 17 years who applies for a Class D  
27 driver's license is subject to all the requirements and  
28 provisions of paragraphs (2)(a) and (b) and ss. 322.09 and  
29 322.16(2) and (3). The department may require of any such  
30 applicant for a Class D driver's license such examination of  
31 the qualifications of the applicant as the department

1 considers proper, and the department may limit the use of any  
2 license granted as it considers proper.

3 (5) To any person whose license has been suspended,  
4 during such suspension, nor to any person whose license has  
5 been revoked, until the expiration of the period of revocation  
6 imposed under the provisions of this chapter.

7 (6) To any person, as a commercial motor vehicle  
8 operator, whose privilege to operate a commercial motor  
9 vehicle has been disqualified, until the expiration of the  
10 period of disqualification.

11 (7) To any person who is an habitual drunkard, or is  
12 an habitual user of narcotic drugs, or is an habitual user of  
13 any other drug to a degree which renders him or her incapable  
14 of safely driving a motor vehicle.

15 (8) To any person who has been adjudged to be  
16 afflicted with or suffering from any mental disability or  
17 disease and who has not at the time of application been  
18 restored to competency by the methods provided by law.

19 (9) To any person who is required by this chapter to  
20 take an examination, unless such person shall have  
21 successfully passed such examination.

22 (10) To any person, when the department has good cause  
23 to believe that the operation of a motor vehicle on the  
24 highways by such person would be detrimental to public safety  
25 or welfare. Deafness alone shall not prevent the person  
26 afflicted from being issued a Class D or Class E driver's  
27 license.

28 (11) To any person who is ineligible under s. 322.056.

29 Section 4. Subsections (1), (2), (3), and (4) of  
30 section 322.051, Florida Statutes, are amended to read:

31 322.051 Identification cards.--

1           (1) Any person who is 12 years of age or older, or any  
2 person who has a disability, regardless of age, who applies  
3 for a disabled parking permit under s. 320.0848, may be issued  
4 an identification card by the department or an authorized or  
5 exclusive agent county tax collector upon completion of an  
6 application and payment of an application fee.

7           (a) Each such application shall include the following  
8 information regarding the applicant:

9           1. Full name (first, middle or maiden, and last),  
10 gender, social security card number, residence and mailing  
11 address, and a brief description.

12           2. Proof of birth date satisfactory to the department.

13           3. Proof of identity satisfactory to the department.

14 Such proof must include one of the following unless a driver's  
15 license record or identification card record has already been  
16 established: a certified copy of a United States birth  
17 certificate, a valid United States passport, an alien  
18 registration receipt card (green card), an employment  
19 authorization card issued by the United States Department of  
20 Justice, or proof of nonimmigrant classification provided by  
21 the United States Department of Justice, for an original  
22 identification card.

23           (b) An application for an identification card must be  
24 signed and verified by the applicant in a format designated by  
25 the department before a person authorized to administer oaths.  
26 The fee for an identification card is \$3, including payment  
27 for the color photograph or digital image of the applicant. An  
28 exclusive agent county tax collector shall retain the \$3 as  
29 reimbursement for the cost of providing the identification  
30 card.

31

1           (2) Every identification card shall expire, unless  
 2 canceled earlier, on the fourth birthday of the applicant  
 3 following the date of original issue. However, if an  
 4 individual is 60 years of age or older, and has an  
 5 identification card issued under this section, the card shall  
 6 not expire unless done so by cancellation by the department or  
 7 by the death of the cardholder. Renewal of any identification  
 8 card shall be made for a term which shall expire on the fourth  
 9 birthday of the applicant following expiration of the  
 10 identification card renewed, unless surrendered earlier. Any  
 11 application for renewal received later than 90 days after  
 12 expiration of the identification card shall be considered the  
 13 same as an application for an original identification card.  
 14 The renewal fee for an identification card shall be \$3. An  
 15 exclusive agent county tax collector shall retain the \$3 as  
 16 reimbursement for the cost of providing the identification  
 17 card.The department shall, at the end of 4 years and 6 months  
 18 after the issuance or renewal of an identification card,  
 19 destroy any record of the card if it has expired and has not  
 20 been renewed, unless the cardholder is 60 years of age or  
 21 older.

22           (3) In the event an identification card issued under  
 23 this section is lost, destroyed, or mutilated or a new name is  
 24 acquired, the person to whom it was issued may obtain a  
 25 duplicate upon furnishing satisfactory proof of such fact to  
 26 the department or an authorized or exclusive county tax  
 27 collector and upon payment of a fee of \$2.50 for such  
 28 duplicate, which shall include payment for the color  
 29 photograph or digital image of the applicant. The department  
 30 or an exclusive agent tax collector shall retain the \$2.50 as  
 31 reimbursement for the cost of providing the duplicate card.



1 Any person who loses an identification card and who, after  
2 obtaining a duplicate, finds the original card shall  
3 immediately surrender the original card to the department or  
4 an authorized or exclusive agent county tax collector. The  
5 same documentary evidence shall be furnished for a duplicate  
6 as for an original identification card.

7 (4) When used with reference to identification cards,  
8 "cancellation" means that an identification card is terminated  
9 without prejudice and must be surrendered. Cancellation of the  
10 card may be made when a card has been issued through error or  
11 when voluntarily surrendered to the department or an  
12 authorized or exclusive agent county tax collector.

13 Section 5. Section 322.059, Florida Statutes, is  
14 amended to read:

15 322.059 Mandatory surrender of suspended driver's  
16 license and registration.--Any person whose driver's license  
17 or registration has been suspended as provided in s. 322.058  
18 must immediately return his or her driver's license and  
19 registration to the Department of Highway Safety and Motor  
20 Vehicles or an authorized or exclusive agent county tax  
21 collector. If such person fails to return his or her driver's  
22 license or registration, any law enforcement agent may seize  
23 the license or registration while the driver's license or  
24 registration is suspended.

25 Section 6. Section 322.07, Florida Statutes, is  
26 amended to read:

27 322.07 Instruction permits and temporary licenses.--

28 (1) Any person who is at least 18 years of age and  
29 who, except for his or her lack of instruction in operating a  
30 motor vehicle, would otherwise be qualified to obtain a Class  
31 E driver's license under this chapter, may apply for a

1 temporary instruction permit. The department or an authorized  
 2 or exclusive agent county tax collector shall issue such a  
 3 permit entitling the applicant, while having the permit in his  
 4 or her immediate possession, to drive a motor vehicle of the  
 5 type for which a Class E driver's license is required upon the  
 6 highways for a period of 90 days, but, except when operating a  
 7 motorcycle or moped as defined in s. 316.003, the person must  
 8 be accompanied by a licensed driver who is 21 years of age or  
 9 older, who is licensed to operate the class of vehicle being  
 10 operated, and who is actually occupying the closest seat to  
 11 the right of the driver.

12 (2) The department or an authorized or exclusive agent  
 13 county tax collector may, ~~in its discretion,~~ issue a temporary  
 14 permit to an applicant for a Class D or Class E driver's  
 15 license permitting him or her to operate a motor vehicle of  
 16 the type for which a Class D or Class E driver's license is  
 17 required while the department is completing its investigation  
 18 and determination of all facts relative to such applicant's  
 19 right to receive a driver's license. Such permit must be in  
 20 his or her immediate possession while operating a motor  
 21 vehicle, and it shall be invalid when the applicant's license  
 22 has been issued or for good cause has been refused.

23 (3) Any person who, except for his or her lack of  
 24 instruction in operating a Class D or commercial motor  
 25 vehicle, would otherwise be qualified to obtain a Class D or  
 26 commercial driver's license under this chapter, may apply for  
 27 a temporary Class D or temporary commercial instruction  
 28 permit. The department or an authorized or exclusive agent  
 29 county tax collector shall issue such a permit entitling the  
 30 applicant, while having the permit in his or her immediate  
 31

1 possession, to drive a Class D or commercial motor vehicle on  
2 the highways, provided that:

3 (a) The applicant possesses a valid driver's license  
4 issued in any state; and

5 (b) The applicant, while operating a Class D or  
6 commercial motor vehicle, is accompanied by a licensed driver  
7 who is 21 years of age or older, who is licensed to operate  
8 the class of vehicle being operated, and who is actually  
9 occupying the closest seat to the right of the driver.

10 Section 7. Subsection (3) of section 322.09, Florida  
11 Statutes, is amended to read:

12 322.09 Application of minors.--

13 (3) The department or an authorized or exclusive agent  
14 county tax collector may not issue a driver's license or  
15 learner's driver's license to any applicant under the age of  
16 18 years who is not in compliance with the requirements of s.  
17 322.091.

18 Section 8. Subsection (1), paragraph (e) of subsection  
19 (2), and subsection (4) of section 322.091, Florida Statutes,  
20 are amended to read:

21 322.091 Attendance requirements.--

22 (1) ELIGIBILITY REQUIREMENTS FOR DRIVING  
23 PRIVILEGES.--A minor is not eligible for driving privileges  
24 unless that minor:

25 (a) Is enrolled in a public school, nonpublic school,  
26 or home education program and satisfies relevant attendance  
27 requirements;

28 (b) Has received a high school diploma, a high school  
29 equivalency diploma, a special diploma, or a certificate of  
30 high school completion;

31

1 (c) Is enrolled in a study course in preparation for  
2 the Test of General Educational Development and satisfies  
3 relevant attendance requirements;

4 (d) Is enrolled in other educational activities  
5 approved by the district school board and satisfies relevant  
6 attendance requirements;

7 (e) Has been issued a certificate of exemption  
8 according to s. 232.06; or

9 (f) Has received a hardship waiver under this section.

10  
11 The department or an authorized or exclusive agent county tax  
12 collector may not issue a driver's license or learner's  
13 driver's license to, or the department shall suspend the  
14 driver's license or learner's driver's license of, any minor  
15 concerning whom the department receives notification of  
16 noncompliance with the requirements of this section.

17 (2) NOTIFICATION OF INTENT TO SUSPEND; SUSPENSION;  
18 RECORD OF NONCOMPLIANCE.--

19 (e) The department or an authorized or exclusive agent  
20 county tax collector may not issue a driver's license or  
21 learner's driver's license to any minor for whom it has a  
22 record of noncompliance with the requirements of subsection  
23 (1) unless the minor submits verification of compliance  
24 pursuant to subsection (4).

25 (4) VERIFICATION OF COMPLIANCE AND REINSTATEMENT.--A  
26 district school board shall provide a minor with written  
27 verification that he or she is in compliance with the  
28 requirements of subsection (1) if the district determines that  
29 he or she has been in compliance for 30 days prior to the  
30 request for verification of compliance. Upon receiving  
31 written verification that the minor is again in compliance

1 with the requirements of subsection (1), the department or an  
2 authorized or exclusive county tax collector shall reinstate  
3 the minor's driving privilege. Thereafter, if the school  
4 district determines that the minor is not in compliance with  
5 the requirements of subsection (1), the department shall  
6 suspend the minor's driving privilege until the minor is 18  
7 years of age or otherwise satisfies the requirements of  
8 subsection (1), whichever occurs first.

9 Section 9. Section 322.12, Florida Statutes, is  
10 amended to read:

11 322.12 Examination of applicants.--

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

28 (2) The department or an authorized or exclusive agent  
29 county tax collector shall examine every applicant for a  
30 driver's license, including an applicant who is licensed in  
31 another state or country, except as otherwise provided in this

1 chapter. A person who holds a learner's driver's license as  
2 provided for in s. 322.1615 is not required to pay a fee for  
3 successfully completing the examination showing his or her  
4 ability to operate a motor vehicle as provided for herein and  
5 need not pay the fee for a replacement license as provided in  
6 s. 322.17(2). Any person who applies for reinstatement  
7 following the suspension or revocation of his or her driver's  
8 license shall pay a service fee of \$25 following a suspension,  
9 and \$50 following a revocation, which is in addition to the  
10 fee for a license. Any person who applies for reinstatement of  
11 a commercial driver's license following the disqualification  
12 of his or her privilege to operate a commercial motor vehicle  
13 shall pay a service fee of \$50, which is in addition to the  
14 fee for a license. The department or an authorized or  
15 exclusive agent county tax collector shall collect all of  
16 these fees at the time of reinstatement, of which \$11 shall be  
17 retained as a service fee if the reinstated license is  
18 provided by an exclusive agent county tax collector. The  
19 department or an authorized or exclusive agent county tax  
20 collector shall issue proper receipts for such fees and shall  
21 promptly transmit all funds received by it as follows:  
22 (a) Of the \$25 fee received from a licensee for  
23 reinstatement following a suspension, if issued by the  
24 department, ~~shall deposit~~ \$15 shall be deposited in the  
25 General Revenue Fund and the remaining \$10 shall be deposited  
26 in the Highway Safety Operating Trust Fund. If an exclusive  
27 agent county tax collector reinstates the license, the tax  
28 collector shall forward \$4 for deposit into General Revenue,  
29 \$10 for deposit into the Highway Safety Operating Trust Fund  
30 and shall retain \$11 as a service fee.  
31

1 (b) Of the \$50 fee received from a licensee for  
 2 reinstatement following a revocation or disqualification, if  
 3 issued by the department,~~shall deposit~~ \$35 shall be deposited  
 4 in the General Revenue Fund and the remaining \$15 shall be  
 5 deposited in the Highway Safety Operating Trust Fund. If an  
 6 exclusive agent county tax collector reinstates the license,  
 7 the tax collector shall forward \$24 for deposit into the  
 8 General Revenue Fund, \$15 into the Highway Safety Operating  
 9 Trust Fund and shall retain \$11 as a service fee.

10  
 11 If the revocation or suspension of the driver's license was  
 12 for a violation of s. 316.193, or for refusal to submit to a  
 13 lawful breath, blood, or urine test, an additional fee of \$105  
 14 must be charged. However, only one such \$105 fee is to be  
 15 collected from one person convicted of such violations arising  
 16 out of the same incident. The department or an authorized or  
 17 exclusive agent county tax collector shall collect the \$105  
 18 fee and deposit it into the Highway Safety Operating Trust  
 19 Fund at the time of reinstatement of the person's driver's  
 20 license, but the fee must not be collected if the suspension  
 21 or revocation was overturned.

22 (3) For an applicant for a Class D or a Class E  
 23 driver's license, such examination shall include a test of the  
 24 applicant's eyesight given by the driver's license examiner  
 25 designated by the department or an authorized or exclusive  
 26 agent county tax collector or by a licensed ophthalmologist,  
 27 optometrist, or physician and a test of the applicant's  
 28 hearing given by a driver's license examiner or a licensed  
 29 physician. The examination shall also include a test of the  
 30 applicant's ability to read and understand highway signs  
 31 regulating, warning, and directing traffic; his or her

1 knowledge of the traffic laws of this state, including laws  
2 regulating driving under the influence of alcohol or  
3 controlled substances, driving with an unlawful blood-alcohol  
4 level, and driving while intoxicated; and his or her knowledge  
5 of the effects of alcohol and controlled substances upon  
6 persons and the dangers of driving a motor vehicle while under  
7 the influence of alcohol or controlled substances and shall  
8 include an actual demonstration of ability to exercise  
9 ordinary and reasonable control in the operation of a motor  
10 vehicle.

11 (4) The examination for an applicant for a commercial  
12 driver's license shall include a test of the applicant's  
13 eyesight given by a driver's license examiner designated by  
14 the department or an authorized or exclusive agent county tax  
15 collector or by a licensed ophthalmologist, optometrist, or  
16 physician and a test of the applicant's hearing given by a  
17 driver's license examiner or a licensed physician. The  
18 examination shall also include a test of the applicant's  
19 ability to read and understand highway signs regulating,  
20 warning, and directing traffic; his or her knowledge of the  
21 traffic laws of this state pertaining to the class of motor  
22 vehicle which he or she is applying to be licensed to operate,  
23 including laws regulating driving under the influence of  
24 alcohol or controlled substances, driving with an unlawful  
25 blood-alcohol level, and driving while intoxicated; his or her  
26 knowledge of the effects of alcohol and controlled substances  
27 and the dangers of driving a motor vehicle after having  
28 consumed alcohol or controlled substances; and his or her  
29 knowledge of any special skills, requirements, or precautions  
30 necessary for the safe operation of the class of vehicle which  
31 he or she is applying to be licensed to operate. In addition,



1 the examination shall include an actual demonstration of the  
2 applicant's ability to exercise ordinary and reasonable  
3 control in the safe operation of a motor vehicle or  
4 combination of vehicles of the type covered by the license  
5 classification which the applicant is seeking, including an  
6 examination of the applicant's ability to perform an  
7 inspection of his or her vehicle.

8 (a) The portion of the examination which tests an  
9 applicant's safe driving ability shall be administered by the  
10 department or by an entity authorized by the department to  
11 administer such examination, pursuant to s. 322.56. Such  
12 examination shall be administered at a location approved by  
13 the department.

14 (b) A person who seeks to retain a hazardous-materials  
15 endorsement must, upon renewal, pass the test for such  
16 endorsement as specified in s. 322.57(1)(d), if the person has  
17 not taken and passed the hazardous-materials test within 2  
18 years preceding his or her application for a commercial  
19 driver's license in this state.

20 (5)(a) The department shall formulate a separate  
21 examination for applicants for licenses to operate  
22 motorcycles. Any applicant for a driver's license who wishes  
23 to operate a motorcycle, and who is otherwise qualified, must  
24 successfully complete such an examination, which is in  
25 addition to the examination administered under subsection (3).  
26 The examination must test the applicant's knowledge of the  
27 operation of a motorcycle and of any traffic laws specifically  
28 relating thereto and must include an actual demonstration of  
29 his or her ability to exercise ordinary and reasonable control  
30 in the operation of a motorcycle. In the formulation of the  
31 examination, the department shall consider the use of the

1 Motorcycle Operator Skills Test and the Motorcycle in Traffic  
 2 Test offered by the Motorcycle Safety Foundation. The  
 3 department or an authorized or exclusive agent county tax  
 4 collector shall indicate on the license of any person who  
 5 successfully completes the examination that the licensee is  
 6 authorized to operate a motorcycle. If the applicant wishes  
 7 to be licensed to operate a motorcycle only, he or she need  
 8 not take the skill or road test required under subsection (3)  
 9 for the operation of a motor vehicle, and the department or an  
 10 authorized or exclusive agent county tax collector shall  
 11 indicate such a limitation on his or her license as a  
 12 restriction. Every first-time applicant for licensure to  
 13 operate a motorcycle who is under 21 years of age must provide  
 14 proof of completion of a motorcycle safety course, as provided  
 15 for in s. 322.0255, before the applicant may be licensed to  
 16 operate a motorcycle.

17 (b) The department or an authorized or exclusive agent  
 18 county tax collector may exempt any applicant from the  
 19 examination provided in this subsection if the applicant  
 20 presents a certificate showing successful completion of a  
 21 course approved by the department, which course includes a  
 22 similar examination of the knowledge and skill of the  
 23 applicant in the operation of a motorcycle.

24 Section 10. Subsection (3) of section 322.121, Florida  
 25 Statutes, is amended to read:

26 322.121 Periodic reexamination of all drivers.--

27 (3) For each licensee whose driving record does not  
 28 show any revocations, disqualifications, or suspensions for  
 29 the preceding 7 years or any convictions for the preceding 3  
 30 years except for convictions of the following nonmoving  
 31 violations:

1 (a) Failure to exhibit a vehicle registration  
2 certificate, rental agreement, or cab card pursuant to s.  
3 320.0605;

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

7 (c) Operating a motor vehicle with an expired license  
8 that has been expired for 4 months or less pursuant to s.  
9 322.065;

10 (d) Failure to carry or exhibit a license pursuant to  
11 s. 322.15(1); or

12 (e) Failure to notify the department or an authorized  
13 or exclusive agent county tax collector of a change of address  
14 or name within 10 days pursuant to s. 322.19,

15  
16 the department or an authorized or exclusive agent county tax  
17 collector shall cause such licensee's license to be  
18 prominently marked with the notation "Safe Driver."

19 Section 11. Section 322.13, Florida Statutes, is  
20 amended to read:

21 322.13 Driver's license examiners.--

22 (1)(a) The department or an authorized or exclusive  
23 agent county tax collector shall designate employees or other  
24 persons to serve as driver's license examiners who, upon  
25 accepting such designation, shall conduct examinations  
26 hereunder, perform other assigned duties, and make factual  
27 reports of findings and recommendations to the department or  
28 county tax collector ~~as it may require~~. In the course of his  
29 or her duties, an examiner may ~~is authorized to~~ administer  
30 oaths or have persons affirm as to the truth of statements  
31 filed before him or her.

1 (b) Those persons serving as driver's license  
2 examiners are not liable for actions taken within the scope of  
3 their employment or designation, except as provided by s.  
4 768.28.

5 (2) The department or an authorized or exclusive agent  
6 county tax collector shall further designate employees or  
7 other persons to serve as driver's license examiners to  
8 enforce all driver's license laws; suspension, revocation, and  
9 cancellation orders; and laws relating to the registration of  
10 motor vehicles entered in compliance with the provisions of  
11 this chapter and chapters 320, 324, and 488. Upon designation,  
12 certain examiners shall be empowered to issue uniform traffic  
13 citations to persons found in violation of such chapters. Any  
14 person who fails or refuses to surrender his or her driver's  
15 license, registration certificate, and license plate upon  
16 lawful demand of an examiner is guilty of a misdemeanor of the  
17 second degree, punishable as provided in s. 775.082 or s.  
18 775.083. Persons designated as examiners by the department or  
19 county tax collector shall not be considered for membership in  
20 the state high-risk retirement program.

21 Section 12. Paragraph (6) of section 322.135, Florida  
22 Statutes, is amended to read:

23 322.135 Driver's license agents.--

24 (6) Administration of driver license services by a  
25 county tax collector as the exclusive agent of the department  
26 must be revenue neutral with no adverse state fiscal impact  
27 and with no adverse unfunded mandate to the tax collector.  
28 Fees retained by the tax collectors as exclusive agents,  
29 except in Bradford County, St. Johns County, and Taylor County  
30 where the department has no driver license facilities, shall  
31 not exceed costs incurred by the department in providing

1 driver license issuance services in that county calculated on  
 2 the basis of actual cost incurred in that county in fiscal  
 3 year 2000-2001 adjusted by the lesser of the consumer price  
 4 index or 3% per fiscal year. There shall be no revenue  
 5 reduction to the Highway Safety Operating Trust Fund.~~Toward~~  
 6 ~~this end,~~The Cost Determination and Allocation Task Force is  
 7 created, to be established by July 1, 2001. The task force  
 8 shall be composed of two representatives appointed by the  
 9 executive director of the department, two tax collectors  
 10 appointed by the president of the Florida Tax Collectors,  
 11 Inc., one from a small-population county and one from a  
 12 large-population county; one person appointed by the Speaker  
 13 of the House of Representatives; one person appointed by the  
 14 President of the Senate; and the Governor's appointee. If  
 15 requested by the task force, the Auditor General must provide  
 16 technical assistance. The purpose of the task force is to  
 17 recommend the allocation of cost between the Department of  
 18 Highway Safety and Motor Vehicles and tax collectors to  
 19 administer driver license services authorized in this chapter.  
 20 These recommendations must be submitted in a written report by  
 21 January 1, 2002. The task force shall dissolve on January 1,  
 22 2002. The written report shall be presented to the President  
 23 of the Senate, the Speaker of the House of Representatives,  
 24 and the Executive Office of the Governor, and shall contain  
 25 findings and determinations and related allocation  
 26 recommendations dealing with costs, both construction and  
 27 operating costs, of both the department and the applicable tax  
 28 collectors, appropriate allocations of costs between the  
 29 department and the tax collectors, and fee recommendations to  
 30 assure that the fees paid for these driver license services do  
 31

1 not result in a loss of revenue to the state in excess of  
2 costs incurred by the state.

3 Section 13. Paragraph (a) of subsection (1) of section  
4 322.14, Florida Statutes, is amended to read:

5 322.14 Licenses issued to drivers.--

6 (1)(a) The department or an authorized or exclusive  
7 agent county tax collector shall, upon successful completion  
8 of all required examinations and payment of the required fee,  
9 issue to every applicant qualifying therefor, a driver's  
10 license as applied for, which license shall bear thereon a  
11 color photograph or digital image of the licensee; the name of  
12 the state; a distinguishing number assigned to the licensee;  
13 and the licensee's full name, date of birth, and mailing  
14 address; a brief description of the licensee, including, but  
15 not limited to, the licensee's gender and height; and the  
16 dates of issuance and expiration of the license. A space shall  
17 be provided upon which the licensee shall affix his or her  
18 usual signature. No license shall be valid until it has been  
19 so signed by the licensee except that the signature of said  
20 licensee shall not be required if it appears thereon in  
21 facsimile or if the licensee is not present within the state  
22 at the time of issuance. Applicants qualifying to receive a  
23 Class A, Class B, or Class C driver's license must appear in  
24 person within the state for issuance of a color photographic  
25 or digital imaged driver's license pursuant to s. 322.142.

26 Section 14. Section 322.141, Florida Statutes, is  
27 amended to read:

28 322.141 Color of licenses.--

29 (1) All licenses originally issued or reissued by the  
30 department or an authorized or exclusive agent county tax  
31 collector to persons under the age of 21 years for the

1 operation of motor vehicles shall have markings or color which  
2 shall be obviously separate and distinct from all other  
3 licenses issued by the department or county tax collector for  
4 the operation of motor vehicles.

5 (2)(a) All licenses for the operation of motor  
6 vehicles originally issued or reissued by the department or an  
7 authorized or exclusive agent county tax collector to persons  
8 who have insulin-dependent diabetes may, at the request of the  
9 applicant, have distinctive markings separate and distinct  
10 from all other licenses issued by the department or county tax  
11 collector.

12 (b) At the time of application for original license or  
13 reissue, the department or an authorized or exclusive agent  
14 county tax collector shall require such proof as it deems  
15 appropriate that a person has insulin-dependent diabetes.

16 Section 15. Subsections (1) and (2) of section  
17 322.142, Florida Statutes, are amended to read:

18 322.142 Color photographic or digital imaged  
19 licenses.--

20 (1) The department or an authorized or exclusive agent  
21 county tax collector shall, upon receipt of the required fee,  
22 issue to each qualified applicant for an original driver's  
23 license a color photographic or digital imaged driver's  
24 license bearing a fullface photograph or digital image of the  
25 licensee. A space shall be provided upon which the licensee  
26 shall affix his or her usual signature, as required in s.  
27 322.14, in the presence of an authorized agent of the  
28 department or county tax collector so as to ensure that such  
29 signature becomes a part of the license.

30 (2) The department or an authorized or exclusive agent  
31 county tax collector shall, upon receipt of the required fee,

1 issue to each qualified licensee applying for a renewal  
2 license in accordance with s. 322.18 a color photographic or  
3 digital imaged license as provided for in subsection (1).

4 Section 16. Paragraphs (b) and (c) of subsection (1)  
5 of section 322.161, Florida Statutes, are amended to read:

6 322.161 High-risk drivers; restricted licenses.--

7 (1)

8 (b) Upon determination that any person has accumulated  
9 six or more points, the department shall notify the licensee  
10 and issue the licensee a restricted license for business  
11 purposes only. The licensee must appear before the department  
12 or an authorized or exclusive agent county tax collector  
13 within 10 days after notification to have this restriction  
14 applied. The period of restriction shall be for a period of no  
15 less than 1 year beginning on the date it is applied by the  
16 department or county tax collector.

17 (c) The restriction shall be automatically withdrawn  
18 by the department after 1 year if the licensee does not  
19 accumulate any additional points. If the licensee accumulates  
20 any additional points, then the period of restriction shall be  
21 extended 90 days for each point. The restriction shall also be  
22 automatically withdrawn upon the licensee's 18th birthday if  
23 no other grounds for restriction exist. The licensee must  
24 appear before the department or an authorized or exclusive  
25 agent county tax collector to have the restriction removed and  
26 a duplicate license issued.

27 Section 17. Subsection (1) of section 322.1615,  
28 Florida Statutes, is amended to read:

29 322.1615 Learner's driver's license.--  
30  
31



1           (1) The department or an authorized or exclusive agent  
2 county tax collector may issue a learner's driver's license to  
3 a person who is at least 15 years of age and who:

4           (a) Has passed the written examination for a learner's  
5 driver's license;

6           (b) Has passed the vision and hearing examination  
7 administered under s. 322.12;

8           (c) Has completed the traffic law and substance abuse  
9 education course prescribed in s. 322.095; and

10           (d) Meets all other requirements set forth in law and  
11 by rule of the department.

12           Section 18. Section 322.17, Florida Statutes, is  
13 amended to read:

14           322.17 Duplicate and replacement certificates.--

15           (1)(a) In the event that an instruction permit or  
16 driver's license issued under the provisions of this chapter  
17 is lost or destroyed, the person to whom the same was issued  
18 may, upon payment of \$10, obtain a duplicate, or substitute  
19 thereof, upon furnishing proof satisfactory to the department  
20 or an authorized or exclusive agent county tax collector that  
21 such permit or license has been lost or destroyed, and further  
22 furnishing the full name, date of birth, sex, residence and  
23 mailing address, proof of birth satisfactory to the department  
24 or county tax collector, and proof of identity satisfactory to  
25 the department. Nine ~~Five~~ dollars of the fee levied in this  
26 paragraph shall go to the Highway Safety Operating Trust Fund  
27 when the duplicate or substitute is issued by ~~of~~ the  
28 department and, if the permit or license is reissued by an  
29 exclusive agent county tax collector, the tax collector shall  
30 retain \$5 as a service fee, and \$5 shall go to the Highway  
31 Safety Operating Trust Fund.

1           (b) ~~If in the event that~~ an instruction permit or  
 2 driver's license issued under the provisions of this chapter  
 3 is stolen, the person to whom the same was issued may, at no  
 4 charge, obtain a duplicate, or substitute thereof, upon  
 5 furnishing proof satisfactory to the department or an  
 6 authorized or exclusive agent county tax collector that such  
 7 permit or license was stolen and further furnishing the full  
 8 name, date of birth, sex, residence and mailing address, proof  
 9 of birth satisfactory to the department, and proof of identity  
 10 satisfactory to the department or county tax collector.

11           (2) Upon the surrender of the original license and the  
 12 payment of a \$10 replacement fee, the department or an  
 13 authorized or exclusive agent county tax collector shall issue  
 14 a replacement license to make a change in name, address, or  
 15 restrictions. If the department replaces the license, \$9 of  
 16 the fee shall be deposited into the Highway Safety Operating  
 17 Trust Fund and \$1 shall be deposited into the General Revenue  
 18 Trust Fund. If an exclusive agent county tax collector  
 19 replaces the license, the tax collector shall forward \$9 to the  
 20 Highway Safety Operating Trust Fund and shall retain \$1 as  
 21 reimbursement for the cost of replacing the license.

22           (3) Upon written request by the licensee and  
 23 notification of a change in address, and the payment of a \$10  
 24 fee, the department shall issue an address sticker that shall  
 25 be affixed to the back of the license by the licensee. Nine  
 26 dollars of the fee levied in this subsection shall go to the  
 27 Highway Safety Operating Trust Fund of the department.

28           Section 19. Subsections (1), (4), (5), (6), (7), and  
 29 (8) of section 322.18, Florida Statutes, are amended to read:

30           322.18 Original applications, licenses, and renewals;  
 31 expiration of licenses; delinquent licenses.--

1           (1)(a) Except as provided in paragraph (b), the  
2 department or an authorized or exclusive agent county tax  
3 collector may issue an original driver's license only after  
4 the applicant successfully passes the required examinations  
5 and presents the application to the department or county tax  
6 collector.

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

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

22           (5) All renewal driver's licenses may be issued after  
23 the applicant licensee has been determined to be eligible by  
24 the department or an authorized or exclusive agent county tax  
25 collector.

26           (6) If the licensee does not receive a renewal notice,  
27 the licensee or applicant may apply to the department or an  
28 authorized or exclusive agent county tax collector, under  
29 oath, at any driver's license examining office. Such  
30 application shall be on a form prepared and furnished by the  
31 department. The department shall make such forms available to

1 the various authorized examining offices throughout the state.  
2 Upon receipt of such application, the department or county tax  
3 collector shall issue a license or temporary permit to the  
4 applicant or shall advise the applicant that no license or  
5 temporary permit will be issued and advise the applicant of  
6 the reason for his or her ineligibility.

7 (7) An expired Florida driver's license may be renewed  
8 any time within 12 months after the expiration date, with  
9 reexamination, if required, upon payment of the required  
10 delinquent fee or taking and passing the written examination.  
11 If the final date upon which a license may be renewed under  
12 this section falls upon a Saturday, Sunday, or legal holiday,  
13 the renewal period shall be extended to midnight of the next  
14 regular working day. The department or an authorized or  
15 exclusive agent county tax collector may refuse to issue any  
16 license if:

17 (a) It has reason to believe the licensee is no longer  
18 qualified to receive a license.

19 (b) Its records reflect that the applicant's driving  
20 privilege is under suspension or revocation.

21 (8) The department shall issue 4-year and 6-year  
22 license extensions by mail, electronic, or telephonic means  
23 without reexamination.

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 an authorized ~~a~~ driver  
30 license office for in-person renewal or to transmit the  
31 completed renewal notice and the fees required by s. 322.21 to

1 the department by mail, electronically, or telephonically  
2 within the 30 days preceding the licensee's birthday for a  
3 license extension. License extensions shall not be available  
4 to drivers directed 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 two consecutive license extension periods, in-person renewal  
14 with reexamination as provided in s. 322.121 shall be  
15 required. A person who is out of this state when his or her  
16 license expires may be issued a 90-day temporary driving  
17 permit without reexamination. At the end of the 90-day period,  
18 the person must either return to this state or apply for a  
19 license where the person is located, except for a member of  
20 the Armed Forces as provided in s. 322.121(6).

21 (d) In-person renewal at an authorized ~~a~~ driver  
22 license office shall not be available to drivers whose records  
23 indicate they were 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.

30  
31

1 (f) The department shall develop a plan for the  
2 equitable distribution of license extensions and renewals and  
3 the orderly implementation of this section.

4 Section 20. Subsections (1), (3), (4), (11), (12),  
5 (13), and (14) of section 322.20, Florida Statutes, are  
6 amended to read:

7 322.20 Records of the department; fees; destruction of  
8 records.--

9 (1) The department shall maintain a record of every  
10 application for license received by it or an authorized or  
11 exclusive agent county tax collector. The possession of such  
12 an application form, whether filled out or in blank, or of a  
13 counterfeit thereof, not authorized by the department or its  
14 personnel constitutes a misdemeanor of the second degree,  
15 punishable as provided in s. 775.082 or s. 775.083.

16 (3) The department shall maintain convenient records  
17 or make suitable notations, in order that the individual  
18 driver history record of each licensee is readily available  
19 for the consideration of the department or an authorized or  
20 exclusive agent county tax collector upon application for  
21 renewal of a license and at other suitable times. The release  
22 by the department of the driver history record, with respect  
23 to crashes involving a licensee, shall not include any  
24 notation or record of the occurrence of a motor vehicle crash  
25 unless the licensee received a traffic citation as a direct  
26 result of the crash, and to this extent such notation or  
27 record is exempt from the provisions of s. 119.07(1).

28 (4) It is unlawful for any person to falsify, alter,  
29 erase, remove, or destroy, or cause to be altered, erased,  
30 removed, or destroyed, any record maintained by the department  
31 or an authorized or exclusive agent county tax collector

1 unless the alteration, erasure, removal, or destruction has  
2 been duly authorized.

3 (11)(a) The department or an authorized or exclusive  
4 agent county tax collector may ~~is authorized to~~ charge the  
5 following fees for the following services and documents:

6 1. For providing a transcript of any one individual's  
7 driver history record or any portion thereof for the past 3  
8 years or for searching for such record when no record is found  
9 to be on file.....\$2.10

10 2. For providing a transcript of any one individual's  
11 driver history record or any portion thereof for the past 7  
12 years or for searching for such record when no record is found  
13 to be on file.....\$3.10

14 3. For providing a certified copy of a transcript of  
15 the driver history record or any portion thereof for any one  
16 individual.....\$3.10

17 4. For providing a certified photographic copy of a  
18 document, per page.....\$1.00

19 5. For providing an exemplified record.....\$15.00

20 6. For providing photocopies of documents, papers,  
21 letters, clearances, or license or insurance status reports,  
22 per page.....\$0.50

23 7. For assisting persons in searching any one  
24 individual's driver record at a terminal located at the  
25 department's general headquarters in Tallahassee.....\$2.00

26 (b) The department shall furnish such information  
27 without charge to any local, state, or federal law enforcement  
28 agency or court upon proof satisfactory to the department as  
29 to the purpose of the investigation.

30 (12) If the service is provided by the department, the  
31 fees collected under this section shall be placed in the

1 Highway Safety Operating Trust Fund. If the service is  
 2 provided by an exclusive agent county tax collector, the fees  
 3 collected under this section shall be retained by the tax  
 4 collector as reimbursement for providing the service as agent  
 5 of the department.

6 (13) The department or an authorized or exclusive  
 7 agent county tax collector may ~~is authorized~~ in accordance  
 8 with chapter 257, ~~to~~ destroy reports, records, documents,  
 9 papers, and correspondence in the Division of Driver Licenses  
 10 or the tax collector's office which are ~~considered~~ obsolete.

11 (14) The department or an authorized or exclusive  
 12 agent county tax collector may ~~is authorized to~~ photograph,  
 13 microphotograph, or reproduce on film such documents, records,  
 14 and reports as it may select. The photographs or  
 15 microphotographs in the form of film or print of any records  
 16 made in compliance with the provisions of this section shall  
 17 have the same force and effect as the originals thereof and  
 18 shall be treated as originals for the purpose of their  
 19 admissibility in evidence. Duly certified or authenticated  
 20 reproductions of such photographs or microphotographs shall be  
 21 admitted in evidence equally with the original photographs or  
 22 microphotographs.

23 Section 21. Subsections (2), (3), (4), and (5) of  
 24 section 322.21, Florida Statutes, are amended to read:

25 322.21 License fees; procedure for handling and  
 26 collecting fees.--

27 (2) ~~It is the duty of~~ The Director of the Division of  
 28 Driver Licenses shall ~~to~~ set up a division in the department  
 29 with the necessary personnel to perform the necessary clerical  
 30 and routine work for the department and an authorized or  
 31 exclusive agent county tax collector shall provide sufficient



1 personnel to perform all clerical and routine work for the tax  
 2 collector in issuing and recording applications, licenses, and  
 3 certificates of eligibility, including the receiving, and  
 4 accounting, and proper disbursement of all license funds ~~and~~  
 5 ~~their payment into the State Treasury,~~ and performing other  
 6 incidental clerical work connected with the administration of  
 7 this chapter. The department or county tax collector may ~~is~~  
 8 ~~authorized to~~ use such electronic, mechanical, or other  
 9 devices as necessary to accomplish the purposes of this  
 10 chapter.

11 (3) The department shall prepare sufficient forms for  
 12 certificates of eligibility, applications, notices, and  
 13 license materials to supply all authorized agents and all  
 14 applicants for driver's licenses and all renewal licenses.

15 (4) If the department determines from its records or  
 16 is otherwise satisfied that the holder of a license about to  
 17 expire is entitled to have it renewed, the department shall  
 18 mail a renewal notice to him or her at his or her last known  
 19 address, not less than 30 days prior to the licensee's  
 20 birthday. The licensee shall be issued a renewal license,  
 21 after reexamination, if required, during the 30 days  
 22 immediately preceding his or her birthday upon presenting a  
 23 renewal notice, his or her current license, and the fee for  
 24 renewal to the department or an authorized or exclusive agent  
 25 county tax collector at any driver's license examining office.

26 (5)(a) The department shall collect and transmit all  
 27 fees received by it under this section to the Treasurer to be  
 28 placed in the General Revenue Fund of the state, and  
 29 sufficient funds for the necessary expenses of the department  
 30 shall be included in the appropriations act. The fees shall  
 31 be used for the maintenance and operation of the department.

1           (b) A county tax collector, when serving as an  
2 exclusive agent for the department, shall retain as  
3 reimbursement for actual services rendered the following  
4 portions of fees:

5           1. For renewal of a commercial driver's license as  
6 provided under paragraph (1)(a), \$7 of the \$50 fee and, when  
7 applicable, 50 cents of the delinquent fee of \$1.

8           2. For issuance of an original Class D or Class E  
9 driver's license as provided under paragraph (1)(b) or a  
10 learner's driver's license as provided under s. 322.1615, \$13  
11 of the \$20 fee.

12           3. For renewal or extension of a Class D or Class E  
13 driver's license as provided under paragraph (1)(c) or a  
14 license restricted to motorcycle use only, \$5 of the \$15 fee  
15 and, when applicable, the delinquent fee of \$1.

16           4. For issuance of an original driver's license  
17 restricted to motorcycle use only, \$15 of the \$20 fee.

18           5. For issuance of an endorsement required under s.  
19 322.57, \$5.

20           6. For processing the written test portion of the  
21 commercial driver's license requirement of paragraph (1)(a), a  
22 fee of \$7.

23           Section 22. Section 322.221, Florida Statutes, is  
24 amended to read:

25           322.221 Department or an exclusive agent county tax  
26 collector may require reexamination.--

27           (1) The department, having good cause to believe that  
28 a licensed driver is incompetent or otherwise not qualified to  
29 be licensed, may, at any time upon written notice of at least  
30 5 days to the licensee, require him or her to submit to an  
31 examination or reexamination. Good cause as used herein shall

1 be construed to mean that a licensee's driving record, a  
2 report as provided in s. 322.126, or other evidence is  
3 sufficient to indicate that his or her driving privilege is  
4 detrimental to public safety.

5 (2)(a) The department may require an examination or  
6 reexamination to determine the competence and driving ability  
7 of any driver causing or contributing to the cause of any  
8 crash resulting in death, personal injury, or property damage.

9 (b) The department or an exclusive agent county tax  
10 collector may, in their ~~its~~ discretion, require any licensed  
11 driver to submit to an examination or reexamination prior to  
12 his or her normal renewal date upon receipt of a  
13 recommendation from a court having jurisdiction of traffic  
14 offenses, a law enforcement agency, or a physician stating  
15 that the driver's ability to operate a motor vehicle safely is  
16 questionable. At the time of renewal of his or her license a  
17 driver may be required to submit to an examination or  
18 reexamination at the discretion of the examiner if the  
19 physical appearance or actions of the licensee give rise to  
20 serious doubt as to his or her ability to operate a vehicle  
21 safely.

22 (c) If the department or an exclusive agent county tax  
23 collector has reason to believe that a licensee is physically  
24 or mentally unqualified to operate a motor vehicle, it may  
25 require the licensee to submit medical reports regarding his  
26 or her physical or mental condition to the department's  
27 medical advisory board for its review and recommendation. The  
28 submission of medical reports shall be made without expense to  
29 the state.

30 (3) Upon the conclusion of such examination or  
31 reexamination the department shall take action as may be

1 appropriate and may suspend or revoke the license of such  
 2 person or permit him or her to retain such license, or may  
 3 issue a license subject to restrictions as permitted under s.  
 4 322.16. Refusal or neglect of the licensee to submit to such  
 5 examination or reexamination shall be ground for suspension or  
 6 revocation of his or her license.

7 Section 23. Subsections (3) and (6) of section  
 8 322.251, Florida Statutes, are amended to read:

9 322.251 Notice of cancellation, suspension,  
 10 revocation, or disqualification of license.--

11 (3) Whenever the driving privilege is suspended,  
 12 revoked, or disqualified under the provisions of this chapter,  
 13 the period of such suspension, revocation, or disqualification  
 14 shall be indicated on the order of suspension, revocation, or  
 15 disqualification, and the department shall require the  
 16 licensee whose driving privilege is suspended, revoked, or  
 17 disqualified to surrender all licenses then held by him or her  
 18 to the department or an authorized or exclusive agent county  
 19 tax collector. However, should the person fail to surrender  
 20 such licenses, the suspension, revocation, or disqualification  
 21 period shall not expire until a period identical to the period  
 22 for which the driving privilege was suspended, revoked, or  
 23 disqualified has expired after the date of surrender of the  
 24 licenses, or the date an affidavit swearing such licenses are  
 25 lost has been filed with the department or county tax  
 26 collector. In any instance where the suspension, revocation,  
 27 or disqualification order is mailed as provided in this  
 28 section herein, and the license is not surrendered to the  
 29 department, and such license thereafter expires, the  
 30 department or county tax collector may ~~shall~~ not renew that  
 31 license until a period of time identical to the period of such

1 suspension, revocation, or disqualification imposed has  
2 expired.

3 (6) Whenever a cancellation, suspension, revocation,  
4 or disqualification occurs, the department shall enter the  
5 cancellation, suspension, revocation, or disqualification  
6 order on the licensee's driver file 20 days after the notice  
7 was actually placed in the mail. Any inquiry into the file  
8 after the 20-day period shall reveal that the license is  
9 canceled, suspended, revoked, or disqualified and whether the  
10 license has been received by the department or an authorized  
11 or exclusive agent county tax collector.

12 Section 24. Paragraph (a) of subsection (2) of section  
13 322.282, Florida Statutes, is amended to read:

14 322.282 Procedure when court revokes or suspends  
15 license or driving privilege and orders reinstatement.--When a  
16 court suspends or revokes a person's license or driving  
17 privilege and, in its discretion, orders reinstatement as  
18 provided by s. 322.28(2)(d) or former s. 322.261(5):

19 (2)(a) The court shall issue an order of  
20 reinstatement, on a form to be furnished by the department,  
21 which the person may take to any driver's license examining  
22 office. The department or an authorized or exclusive agent  
23 county tax collector shall issue a temporary driver's permit  
24 to a licensee who presents the court's order of reinstatement,  
25 proof of completion of a department-approved driver training  
26 or substance abuse education course, and a written request for  
27 a hearing under s. 322.271. The permit shall not be issued if  
28 a record check by the department or county tax collector shows  
29 that the person has previously been convicted for a violation  
30 of s. 316.193, former s. 316.1931, former s. 316.028, former  
31 s. 860.01, or a previous conviction outside this state for

1 driving under the influence, driving while intoxicated,  
2 driving with an unlawful blood-alcohol level, or any similar  
3 alcohol-related or drug-related traffic offense; that the  
4 person's driving privilege has been previously suspended for  
5 refusal to submit to a lawful test of breath, blood, or urine;  
6 or that the person is otherwise not entitled to issuance of a  
7 driver's license. This paragraph shall not be construed to  
8 prevent the reinstatement of a license or driving privilege  
9 that is presently suspended for driving with an unlawful  
10 blood-alcohol level or a refusal to submit to a breath, urine,  
11 or blood test and is also revoked for a conviction for a  
12 violation of s. 316.193 or former s. 316.1931, if the  
13 suspension and revocation arise out of the same incident.

14 Section 25. Subsection (4) of section 322.32, Florida  
15 Statutes, is amended to read:

16 322.32 Unlawful use of license.--It is a misdemeanor  
17 of the second degree, punishable as provided in s. 775.082 or  
18 s. 775.083, for any person:

19 (4) To fail or refuse to surrender to the department  
20 or an authorized or exclusive agent county tax collector or to  
21 any law enforcement officer, upon lawful demand, any driver's  
22 license in his or her possession that has been suspended,  
23 revoked, disqualified, or canceled.

24 Section 26. (1) The Auditor General, shall provide a  
25 fiscal impact analysis of the effect of each participating tax  
26 collector performing services related to the issuance of  
27 driver licenses consistent with the requirements of this act.  
28 The Auditor General's analysis shall include, but not be  
29 limited to,

30  
31

1           (a) A cost analysis, including an analysis of revenues  
2 lost by the state compared to the reduction in the state's  
3 costs to administer the program.

4           (b) An analysis of the difference in state program  
5 costs and state revenues associated with tax collectors who  
6 are currently providing driver license services compared to  
7 the program costs and state revenues if those tax collectors  
8 provide services consistent with the requirements of this act.

9           (c) A projection of the total fiscal impact if the  
10 pilot established in this act is implemented statewide.

11           (d) Identification of any recommendations for the  
12 delivery of driver license services by tax collectors  
13 statewide, and performance measures and standards tax  
14 collectors should be required to meet if they elect to provide  
15 driver license services under the requirements of this act.

16           (2) Each tax collector in the pilot project shall  
17 provide to the Auditor General, no later than October 1, 2002,  
18 the following data to assist the Auditor General in conducting  
19 his review.

20           (a) Total costs within each county's budget for the  
21 tax collector to provide all services including a breakdown of  
22 transactions per service and a calculation of relative costs  
23 for each of its services provided.

24           (b) Specific cost projections of providing either  
25 continued or additional driver's license services.

26           (c) Projections relating to the ability of the tax  
27 collectors to improve or maintain performance standards and  
28 measures as established by the Legislature.

29           (3) The Auditor General shall submit the results of  
30 his review and his recommendations to the Governor, the  
31

1 Speaker of the House and the President of the Senate by  
2 February 1, 2003.

3 (4) This section shall take effect upon becoming law.

4 Section 27. Except as otherwise provided herein, this  
5 act shall take effect July 1, 2003.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31