

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

316-2315-02

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 ss. 322.121,
29 322.13, 322.14, F.S., relating to
30 reexaminations and examiners; conforming
31 provisions to changes made by the act; amending

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

2
3 Section 1. Present subsections (11) through (17) of
4 section 322.01, Florida Statutes, are redesignated as
5 subsections (12) through (18), respectively, and new
6 subsections (11) and (19) are added to that section, and
7 present subsections (18) through (42) of that section are
8 redesignated as subsections (20) through (44), respectively,
9 to read:

10 322.01 Definitions.--As used in this chapter:

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

13 (a) Authorized by contract; or

14 (b) Exclusive agents of the department.

15 (19) "Exclusive Agent County Tax Collectors" means the
16 county tax collectors for Bradford, Escambia, Hillsborough,
17 Manatee, Pinellas, Saint Johns and Taylor counties.

18 Section 2. Subsection (2) and paragraph (a) of
19 subsection (3) of section 322.03, Florida Statutes, are
20 amended to read:

21 322.03 Drivers must be licensed; penalties.--

22 (2) Prior to issuing a driver's license, the
23 department or an authorized or exclusive agent county tax
24 collector shall require any person who has been convicted two
25 or more times of a violation of s. 316.193 or of a
26 substantially similar alcohol-related or drug-related offense
27 outside this state within the preceding 5 years, or who has
28 been convicted of three or more such offenses within the
29 preceding 10 years, to present proof of successful completion
30 of or enrollment in a department-approved substance abuse
31 education course. If the person fails to complete such

1 education course within 90 days after issuance, the department
2 shall cancel the license. Further, prior to issuing the
3 driver's license the department or county tax collector shall
4 require such person to present proof of financial
5 responsibility as provided in s. 324.031. For the purposes of
6 this paragraph, a previous conviction for violation of former
7 s. 316.028, former s. 316.1931, or former s. 860.01 shall be
8 considered a previous conviction for violation of s. 316.193.

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

12 Section 3. Section 322.05, Florida Statutes, is
13 amended to read:

14 322.05 Persons not to be licensed.--The department or
15 an authorized or exclusive agent county tax collector may not
16 issue a license:

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

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

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

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

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

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

14 (4) Except as provided by this subsection, to any
15 person, as a Class A licensee, Class B licensee, Class C
16 licensee, or Class D licensee, who is under the age of 18
17 years. A person age 16 or 17 years who applies for a Class D
18 driver's license is subject to all the requirements and
19 provisions of paragraphs (2)(a) and (b) and ss. 322.09 and
20 322.16(2) and (3). The department may require of any such
21 applicant for a Class D driver's license such examination of
22 the qualifications of the applicant as the department
23 considers proper, and the department may limit the use of any
24 license granted as it considers proper.

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

29 (6) To any person, as a commercial motor vehicle
30 operator, whose privilege to operate a commercial motor
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1 vehicle has been disqualified, until the expiration of the
2 period of disqualification.

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

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

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

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

20 (11) To any person who is ineligible under s. 322.056.
21 Section 4. Subsections (1), (2), (3), and (4) of
22 section 322.051, Florida Statutes, are amended to read:

23 322.051 Identification cards.--

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

30 (a) Each such application shall include the following
31 information regarding the applicant:

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

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

5 3. Proof of identity satisfactory to the department.

6 Such proof must include one of the following unless a driver's
7 license record or identification card record has already been
8 established: a certified copy of a United States birth
9 certificate, a valid United States passport, an alien
10 registration receipt card (green card), an employment
11 authorization card issued by the United States Department of
12 Justice, or proof of nonimmigrant classification provided by
13 the United States Department of Justice, for an original
14 identification card.

15 (b) An application for an identification card must be
16 signed and verified by the applicant in a format designated by
17 the department before a person authorized to administer oaths.
18 The fee for an identification card is \$3, including payment
19 for the color photograph or digital image of the applicant. An
20 exclusive agent county tax collector shall retain the \$3 as
21 reimbursement for the cost of providing the identification
22 card.

23 (2) Every identification card shall expire, unless
24 canceled earlier, on the fourth birthday of the applicant
25 following the date of original issue. However, if an
26 individual is 60 years of age or older, and has an
27 identification card issued under this section, the card shall
28 not expire unless done so by cancellation by the department or
29 by the death of the cardholder. Renewal of any identification
30 card shall be made for a term which shall expire on the fourth
31 birthday of the applicant following expiration of the

1 identification card renewed, unless surrendered earlier. Any
2 application for renewal received later than 90 days after
3 expiration of the identification card shall be considered the
4 same as an application for an original identification card.
5 The renewal fee for an identification card shall be \$3. An
6 exclusive agent county tax collector shall retain the \$3 as
7 reimbursement for the cost of providing the identification
8 card.The department shall, at the end of 4 years and 6 months
9 after the issuance or renewal of an identification card,
10 destroy any record of the card if it has expired and has not
11 been renewed, unless the cardholder is 60 years of age or
12 older.

13 (3) In the event an identification card issued under
14 this section is lost, destroyed, or mutilated or a new name is
15 acquired, the person to whom it was issued may obtain a
16 duplicate upon furnishing satisfactory proof of such fact to
17 the department or an authorized or exclusive county tax
18 collector and upon payment of a fee of \$2.50 for such
19 duplicate, which shall include payment for the color
20 photograph or digital image of the applicant. The department
21 or an exclusive agent tax collector shall retain the \$2.50 as
22 reimbursement for the cost of providing the duplicate card.
23 Any person who loses an identification card and who, after
24 obtaining a duplicate, finds the original card shall
25 immediately surrender the original card to the department or
26 an authorized or exclusive agent county tax collector. The
27 same documentary evidence shall be furnished for a duplicate
28 as for an original identification card.

29 (4) When used with reference to identification cards,
30 "cancellation" means that an identification card is terminated
31 without prejudice and must be surrendered. Cancellation of the

1 card may be made when a card has been issued through error or
2 when voluntarily surrendered to the department or an
3 authorized or exclusive agent county tax collector.

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

6 322.059 Mandatory surrender of suspended driver's
7 license and registration.--Any person whose driver's license
8 or registration has been suspended as provided in s. 322.058
9 must immediately return his or her driver's license and
10 registration to the Department of Highway Safety and Motor
11 Vehicles or an authorized or exclusive agent county tax
12 collector. If such person fails to return his or her driver's
13 license or registration, any law enforcement agent may seize
14 the license or registration while the driver's license or
15 registration is suspended.

16 Section 6. Section 322.07, Florida Statutes, is
17 amended to read:

18 322.07 Instruction permits and temporary licenses.--

19 (1) Any person who is at least 18 years of age and
20 who, except for his or her lack of instruction in operating a
21 motor vehicle, would otherwise be qualified to obtain a Class
22 E driver's license under this chapter, may apply for a
23 temporary instruction permit. The department or an authorized
24 or exclusive agent county tax collector shall issue such a
25 permit entitling the applicant, while having the permit in his
26 or her immediate possession, to drive a motor vehicle of the
27 type for which a Class E driver's license is required upon the
28 highways for a period of 90 days, but, except when operating a
29 motorcycle or moped as defined in s. 316.003, the person must
30 be accompanied by a licensed driver who is 21 years of age or
31 older, who is licensed to operate the class of vehicle being

1 operated, and who is actually occupying the closest seat to
2 the right of the driver.

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

14 (3) Any person who, except for his or her lack of
15 instruction in operating a Class D or commercial motor
16 vehicle, would otherwise be qualified to obtain a Class D or
17 commercial driver's license under this chapter, may apply for
18 a temporary Class D or temporary commercial instruction
19 permit. The department or an authorized or exclusive agent
20 county tax collector shall issue such a permit entitling the
21 applicant, while having the permit in his or her immediate
22 possession, to drive a Class D or commercial motor vehicle on
23 the highways, provided that:

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

26 (b) The applicant, while operating a Class D or
27 commercial motor vehicle, is accompanied by a licensed driver
28 who is 21 years of age or older, who is licensed to operate
29 the class of vehicle being operated, and who is actually
30 occupying the closest seat to the right of the driver.

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

3 322.09 Application of minors.--

4 (3) The department or an authorized or exclusive agent
5 county tax collector may not issue a driver's license or
6 learner's driver's license to any applicant under the age of
7 18 years who is not in compliance with the requirements of s.
8 322.091.

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

12 322.091 Attendance requirements.--

13 (1) ELIGIBILITY REQUIREMENTS FOR DRIVING
14 PRIVILEGES.--A minor is not eligible for driving privileges
15 unless that minor:

16 (a) Is enrolled in a public school, nonpublic school,
17 or home education program and satisfies relevant attendance
18 requirements;

19 (b) Has received a high school diploma, a high school
20 equivalency diploma, a special diploma, or a certificate of
21 high school completion;

22 (c) Is enrolled in a study course in preparation for
23 the Test of General Educational Development and satisfies
24 relevant attendance requirements;

25 (d) Is enrolled in other educational activities
26 approved by the district school board and satisfies relevant
27 attendance requirements;

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

30 (f) Has received a hardship waiver under this section.
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1 | The department or an authorized or exclusive agent county tax
2 | collector may not issue a driver's license or learner's
3 | driver's license to, or the department shall suspend the
4 | driver's license or learner's driver's license of, any minor
5 | concerning whom the department receives notification of
6 | noncompliance with the requirements of this section.

7 | (2) NOTIFICATION OF INTENT TO SUSPEND; SUSPENSION;
8 | RECORD OF NONCOMPLIANCE.--

9 | (e) The department or an authorized or exclusive agent
10 | county tax collector may not issue a driver's license or
11 | learner's driver's license to any minor for whom it has a
12 | record of noncompliance with the requirements of subsection
13 | (1) unless the minor submits verification of compliance
14 | pursuant to subsection (4).

15 | (4) VERIFICATION OF COMPLIANCE AND REINSTATEMENT.--A
16 | district school board shall provide a minor with written
17 | verification that he or she is in compliance with the
18 | requirements of subsection (1) if the district determines that
19 | he or she has been in compliance for 30 days prior to the
20 | request for verification of compliance. Upon receiving
21 | written verification that the minor is again in compliance
22 | with the requirements of subsection (1), the department or an
23 | authorized or exclusive county tax collector shall reinstate
24 | the minor's driving privilege. Thereafter, if the school
25 | district determines that the minor is not in compliance with
26 | the requirements of subsection (1), the department shall
27 | suspend the minor's driving privilege until the minor is 18
28 | years of age or otherwise satisfies the requirements of
29 | subsection (1), whichever occurs first.

30 | Section 9. Section 322.12, Florida Statutes, is
31 | amended to read:

1 322.12 Examination of applicants.--

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

18 (2) The department or an authorized or exclusive agent
19 county tax collector shall examine every applicant for a
20 driver's license, including an applicant who is licensed in
21 another state or country, except as otherwise provided in this
22 chapter. A person who holds a learner's driver's license as
23 provided for in s. 322.1615 is not required to pay a fee for
24 successfully completing the examination showing his or her
25 ability to operate a motor vehicle as provided for herein and
26 need not pay the fee for a replacement license as provided in
27 s. 322.17(2). Any person who applies for reinstatement
28 following the suspension or revocation of his or her driver's
29 license shall pay a service fee of \$25 following a suspension,
30 and \$50 following a revocation, which is in addition to the
31 fee for a license. Any person who applies for reinstatement of

1 a commercial driver's license following the disqualification
2 of his or her privilege to operate a commercial motor vehicle
3 shall pay a service fee of \$50, which is in addition to the
4 fee for a license. The department or an authorized or
5 exclusive agent county tax collector shall collect all of
6 these fees at the time of reinstatement, of which \$11 shall be
7 retained as a service fee if the reinstated license is
8 provided by an exclusive agent county tax collector. The
9 department or an authorized or exclusive agent county tax
10 collector shall issue proper receipts for such fees and shall
11 promptly transmit all funds received by it as follows:

12 (a) Of the \$25 fee received from a licensee for
13 reinstatement following a suspension, if issued by the
14 department, ~~shall deposit~~ \$15 shall be deposited in the
15 General Revenue Fund and the remaining \$10 shall be deposited
16 in the Highway Safety Operating Trust Fund. If an exclusive
17 agent county tax collector reinstates the license, the tax
18 collector shall forward \$14 of the \$25 fee to the department
19 for deposit into the General Revenue Fund and shall retain \$11
20 as a service fee.

21 (b) Of the \$50 fee received from a licensee for
22 reinstatement following a revocation or disqualification, if
23 issued by the department, ~~shall deposit~~ \$35 shall be deposited
24 in the General Revenue Fund and the remaining \$15 shall be
25 deposited in the Highway Safety Operating Trust Fund. If an
26 exclusive agent county tax collector reinstates the license,
27 the tax collector shall forward \$39 of the \$50 fee to the
28 department for deposit into the General Revenue Fund and shall
29 retain \$11 as a service fee.

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

12 (3) For an applicant for a Class D or a Class E
13 driver's license, such examination shall include a test of the
14 applicant's eyesight given by the driver's license examiner
15 designated by the department or an authorized or exclusive
16 agent county tax collector or by a licensed ophthalmologist,
17 optometrist, or physician and a test of the applicant's
18 hearing given by a driver's license examiner or a licensed
19 physician. The examination shall also include a test of the
20 applicant's ability to read and understand highway signs
21 regulating, warning, and directing traffic; his or her
22 knowledge of the traffic laws of this state, including laws
23 regulating driving under the influence of alcohol or
24 controlled substances, driving with an unlawful blood-alcohol
25 level, and driving while intoxicated; and his or her knowledge
26 of the effects of alcohol and controlled substances upon
27 persons and the dangers of driving a motor vehicle while under
28 the influence of alcohol or controlled substances and shall
29 include an actual demonstration of ability to exercise
30 ordinary and reasonable control in the operation of a motor
31 vehicle.

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

29 (a) The portion of the examination which tests an
30 applicant's safe driving ability shall be administered by the
31 department or by an entity authorized by the department to

1 administer such examination, pursuant to s. 322.56. Such
2 examination shall be administered at a location approved by
3 the department.

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

10 (5)(a) The department shall formulate a separate
11 examination for applicants for licenses to operate
12 motorcycles. Any applicant for a driver's license who wishes
13 to operate a motorcycle, and who is otherwise qualified, must
14 successfully complete such an examination, which is in
15 addition to the examination administered under subsection (3).
16 The examination must test the applicant's knowledge of the
17 operation of a motorcycle and of any traffic laws specifically
18 relating thereto and must include an actual demonstration of
19 his or her ability to exercise ordinary and reasonable control
20 in the operation of a motorcycle. In the formulation of the
21 examination, the department shall consider the use of the
22 Motorcycle Operator Skills Test and the Motorcycle in Traffic
23 Test offered by the Motorcycle Safety Foundation. The
24 department or an authorized or exclusive agent county tax
25 collector shall indicate on the license of any person who
26 successfully completes the examination that the licensee is
27 authorized to operate a motorcycle. If the applicant wishes
28 to be licensed to operate a motorcycle only, he or she need
29 not take the skill or road test required under subsection (3)
30 for the operation of a motor vehicle, and the department or an
31 authorized or exclusive agent county tax collector shall

1 indicate such a limitation on his or her license as a
2 restriction. Every first-time applicant for licensure to
3 operate a motorcycle who is under 21 years of age must provide
4 proof of completion of a motorcycle safety course, as provided
5 for in s. 322.0255, before the applicant may be licensed to
6 operate a motorcycle.

7 (b) The department or an authorized or exclusive agent
8 county tax collector may exempt any applicant from the
9 examination provided in this subsection if the applicant
10 presents a certificate showing successful completion of a
11 course approved by the department, which course includes a
12 similar examination of the knowledge and skill of the
13 applicant in the operation of a motorcycle.

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

16 322.121 Periodic reexamination of all drivers.--

17 (3) For each licensee whose driving record does not
18 show any revocations, disqualifications, or suspensions for
19 the preceding 7 years or any convictions for the preceding 3
20 years except for convictions of the following nonmoving
21 violations:

22 (a) Failure to exhibit a vehicle registration
23 certificate, rental agreement, or cab card pursuant to s.
24 320.0605;

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

28 (c) Operating a motor vehicle with an expired license
29 that has been expired for 4 months or less pursuant to s.
30 322.065;

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

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

6
7 the department or an authorized or exclusive agent county tax
8 collector shall cause such licensee's license to be
9 prominently marked with the notation "Safe Driver."

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

12 322.13 Driver's license examiners.--

13 (1)(a) The department or an authorized or exclusive
14 agent county tax collector shall designate employees or other
15 persons to serve as driver's license examiners who, upon
16 accepting such designation, shall conduct examinations
17 hereunder, perform other assigned duties, and make factual
18 reports of findings and recommendations to the department or
19 county tax collector ~~as it may require~~. In the course of his
20 or her duties, an examiner may ~~is authorized to~~ administer
21 oaths or have persons affirm as to the truth of statements
22 filed before him or her.

23 (b) Those persons serving as driver's license
24 examiners are not liable for actions taken within the scope of
25 their employment or designation, except as provided by s.
26 768.28.

27 (2) The department or an authorized or exclusive agent
28 county tax collector shall further designate employees or
29 other persons to serve as driver's license examiners to
30 enforce all driver's license laws; suspension, revocation, and
31 cancellation orders; and laws relating to the registration of

1 motor vehicles entered in compliance with the provisions of
2 this chapter and chapters 320, 324, and 488. Upon designation,
3 certain examiners shall be empowered to issue uniform traffic
4 citations to persons found in violation of such chapters. Any
5 person who fails or refuses to surrender his or her driver's
6 license, registration certificate, and license plate upon
7 lawful demand of an examiner is guilty of a misdemeanor of the
8 second degree, punishable as provided in s. 775.082 or s.
9 775.083. Persons designated as examiners by the department or
10 county tax collector shall not be considered for membership in
11 the state high-risk retirement program.

12 Section 12. Paragraph (a) of subsection (1) of section
13 322.14, Florida Statutes, is amended to read:

14 322.14 Licenses issued to drivers.--

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

1 Class A, Class B, or Class C driver's license must appear in
2 person within the state for issuance of a color photographic
3 or digital imaged driver's license pursuant to s. 322.142.

4 Section 13. Section 322.141, Florida Statutes, is
5 amended to read:

6 322.141 Color of licenses.--

7 (1) All licenses originally issued or reissued by the
8 department or an authorized or exclusive agent county tax
9 collector to persons under the age of 21 years for the
10 operation of motor vehicles shall have markings or color which
11 shall be obviously separate and distinct from all other
12 licenses issued by the department or county tax collector for
13 the operation of motor vehicles.

14 (2)(a) All licenses for the operation of motor
15 vehicles originally issued or reissued by the department or an
16 authorized or exclusive agent county tax collector to persons
17 who have insulin-dependent diabetes may, at the request of the
18 applicant, have distinctive markings separate and distinct
19 from all other licenses issued by the department or county tax
20 collector.

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

25 Section 14. Subsections (1) and (2) of section
26 322.142, Florida Statutes, are amended to read:

27 322.142 Color photographic or digital imaged
28 licenses.--

29 (1) The department or an authorized or exclusive agent
30 county tax collector shall, upon receipt of the required fee,
31 issue to each qualified applicant for an original driver's

1 license a color photographic or digital imaged driver's
2 license bearing a fullface photograph or digital image of the
3 licensee. A space shall be provided upon which the licensee
4 shall affix his or her usual signature, as required in s.
5 322.14, in the presence of an authorized agent of the
6 department or county tax collector so as to ensure that such
7 signature becomes a part of the license.

8 (2) The department or an authorized or exclusive agent
9 county tax collector shall, upon receipt of the required fee,
10 issue to each qualified licensee applying for a renewal
11 license in accordance with s. 322.18 a color photographic or
12 digital imaged license as provided for in subsection (1).

13 Section 15. Paragraphs (b) and (c) of subsection (1)
14 of section 322.161, Florida Statutes, are amended to read:

15 322.161 High-risk drivers; restricted licenses.--

16 (1)

17 (b) Upon determination that any person has accumulated
18 six or more points, the department shall notify the licensee
19 and issue the licensee a restricted license for business
20 purposes only. The licensee must appear before the department
21 or an authorized or exclusive agent county tax collector
22 within 10 days after notification to have this restriction
23 applied. The period of restriction shall be for a period of no
24 less than 1 year beginning on the date it is applied by the
25 department or county tax collector.

26 (c) The restriction shall be automatically withdrawn
27 by the department after 1 year if the licensee does not
28 accumulate any additional points. If the licensee accumulates
29 any additional points, then the period of restriction shall be
30 extended 90 days for each point. The restriction shall also be
31 automatically withdrawn upon the licensee's 18th birthday if

1 no other grounds for restriction exist. The licensee must
2 appear before the department or an authorized or exclusive
3 agent county tax collector to have the restriction removed and
4 a duplicate license issued.

5 Section 16. Subsection (1) of section 322.1615,
6 Florida Statutes, is amended to read:

7 322.1615 Learner's driver's license.--

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

11 (a) Has passed the written examination for a learner's
12 driver's license;

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

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

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

19 Section 17. Section 322.17, Florida Statutes, is
20 amended to read:

21 322.17 Duplicate and replacement certificates.--

22 (1)(a) In the event that an instruction permit or
23 driver's license issued under the provisions of this chapter
24 is lost or destroyed, the person to whom the same was issued
25 may, upon payment of \$10, obtain a duplicate, or substitute
26 thereof, upon furnishing proof satisfactory to the department
27 or an authorized or exclusive agent county tax collector that
28 such permit or license has been lost or destroyed, and further
29 furnishing the full name, date of birth, sex, residence and
30 mailing address, proof of birth satisfactory to the department
31 or county tax collector, and proof of identity satisfactory to

1 the department. Five dollars of the fee levied in this
2 paragraph shall go to the Highway Safety Operating Trust Fund
3 when the duplicate or substitute is issued by of the
4 department and, if the permit or license is reissued by an
5 exclusive agent county tax collector, the tax collector shall
6 retain \$6 as a service fee, and \$4 shall go to the Highway
7 Safety Operating Trust Fund.

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

18 (2) Upon the surrender of the original license and the
19 payment of a \$10 replacement fee, the department or an
20 authorized or exclusive agent county tax collector shall issue
21 a replacement license to make a change in name, address, or
22 restrictions. If the department replaces the license, the
23 entire \$10 fee shall be deposited into the Highway Safety
24 Operating Trust Fund. If an exclusive agent county tax
25 collector replaces the license, the tax collector shall
26 forward \$4 of the \$10 fee to the department for deposit into
27 the Highway Safety Operating Trust Fund and shall retain \$6 as
28 reimbursement for the cost of replacing the license.

29 (3) Upon written request by the licensee and
30 notification of a change in address, and the payment of a \$10
31 fee, the department or an authorized or exclusive agent county

1 tax collector shall issue an address sticker ~~that~~ ~~which~~ shall
2 be affixed to the back of the license by the licensee or issue
3 a replacement license to the licensee. If the department
4 issues the address sticker, the entire \$10 fee shall be
5 deposited into the Highway Safety Operating Trust Fund. If an
6 exclusive agent county tax collector issues a replacement
7 license, the tax collector shall forward \$5 of the \$10 fee to
8 the department for deposit into the Highway Safety Operating
9 Trust Fund and shall retain \$5 as reimbursement for the cost
10 of issuing the replacement license. ~~Nine dollars of the fee~~
11 ~~levied in this subsection shall go to the Highway Safety~~
12 ~~Operating Trust Fund of the department.~~

13 Section 18. Subsections (1), (4), (5), (6), (7), and
14 (8) of section 322.18, Florida Statutes, are amended to read:

15 322.18 Original applications, licenses, and renewals;
16 expiration of licenses; delinquent licenses.--

17 (1)(a) Except as provided in paragraph (b), the
18 department or an authorized or exclusive agent county tax
19 collector may issue an original driver's license only after
20 the applicant successfully passes the required examinations
21 and presents the application to the department or county tax
22 collector.

23 (b) The department or an authorized or exclusive agent
24 county tax collector may waive the driver's license
25 examination requirement if the applicant is otherwise
26 qualified and surrenders a valid license issued by another
27 state, a province of Canada, or the United States Armed Forces
28 which is of an equal or lesser classification as provided in
29 s. 322.12.

30 (4) Except as otherwise provided in this chapter, all
31 licenses shall be renewable every 4 years or 6 years,

1 depending upon the terms of issuance and shall be issued or
2 extended upon application, payment of the fees required by s.
3 322.21, and successful passage of any required examination,
4 unless the department or an authorized or exclusive agent
5 county tax collector has reason to believe that the licensee
6 is no longer qualified to receive a license.

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

11 (6) If the licensee does not receive a renewal notice,
12 the licensee or applicant may apply to the department or an
13 authorized or exclusive agent county tax collector, under
14 oath, at any driver's license examining office. Such
15 application shall be on a form prepared and furnished by the
16 department. The department shall make such forms available to
17 the various authorized examining offices throughout the state.
18 Upon receipt of such application, the department or county tax
19 collector shall issue a license or temporary permit to the
20 applicant or shall advise the applicant that no license or
21 temporary permit will be issued and advise the applicant of
22 the reason for his or her ineligibility.

23 (7) An expired Florida driver's license may be renewed
24 any time within 12 months after the expiration date, with
25 reexamination, if required, upon payment of the required
26 delinquent fee or taking and passing the written examination.
27 If the final date upon which a license may be renewed under
28 this section falls upon a Saturday, Sunday, or legal holiday,
29 the renewal period shall be extended to midnight of the next
30 regular working day. The department or an authorized or
31

1 exclusive agent county tax collector may refuse to issue any
2 license if:

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

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

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

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

22 (b) Upon receipt of a properly completed renewal
23 notice, payment of the required fees, and upon determining
24 that the licensee is still eligible for renewal, the
25 department shall send a license extension sticker to the
26 licensee to affix to the expiring license as evidence that the
27 license term has been extended.

28 (c) The department shall issue license extensions for
29 two consecutive license expirations only. Upon expiration of
30 two consecutive license extension periods, in-person renewal
31 with reexamination as provided in s. 322.121 shall be

1 required. A person who is out of this state when his or her
2 license expires may be issued a 90-day temporary driving
3 permit without reexamination. At the end of the 90-day period,
4 the person must either return to this state or apply for a
5 license where the person is located, except for a member of
6 the Armed Forces as provided in s. 322.121(6).

7 (d) In-person renewal at an authorized ~~a~~ driver
8 license office shall not be available to drivers whose records
9 indicate they were directed to apply for a license extension.

10 (e) Any person who knowingly possesses any forged,
11 stolen, fictitious, counterfeit, or unlawfully issued license
12 extension sticker, unless possession by such person has been
13 duly authorized by the department, commits a misdemeanor of
14 the second degree, punishable as provided in s. 775.082 or s.
15 775.083.

16 (f) The department shall develop a plan for the
17 equitable distribution of license extensions and renewals and
18 the orderly implementation of this section.

19 Section 19. Subsections (1), (3), (4), (11), (12),
20 (13), and (14) of section 322.20, Florida Statutes, are
21 amended to read:

22 322.20 Records of the department; fees; destruction of
23 records.--

24 (1) The department shall maintain a record of every
25 application for license received by it or an authorized or
26 exclusive agent county tax collector. The possession of such
27 an application form, whether filled out or in blank, or of a
28 counterfeit thereof, not authorized by the department or its
29 personnel constitutes a misdemeanor of the second degree,
30 punishable as provided in s. 775.082 or s. 775.083.

31

1 (3) The department shall maintain convenient records
2 or make suitable notations, in order that the individual
3 driver history record of each licensee is readily available
4 for the consideration of the department or an authorized or
5 exclusive agent county tax collector upon application for
6 renewal of a license and at other suitable times. The release
7 by the department of the driver history record, with respect
8 to crashes involving a licensee, shall not include any
9 notation or record of the occurrence of a motor vehicle crash
10 unless the licensee received a traffic citation as a direct
11 result of the crash, and to this extent such notation or
12 record is exempt from the provisions of s. 119.07(1).

13 (4) It is unlawful for any person to falsify, alter,
14 erase, remove, or destroy, or cause to be altered, erased,
15 removed, or destroyed, any record maintained by the department
16 or an authorized or exclusive agent county tax collector
17 unless the alteration, erasure, removal, or destruction has
18 been duly authorized.

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

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

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

30
31

- 1 3. For providing a certified copy of a transcript of
2 the driver history record or any portion thereof for any one
3 individual.....\$3.10
4 4. For providing a certified photographic copy of a
5 document, per page.....\$1.00
6 5. For providing an exemplified record.....\$15.00
7 6. For providing photocopies of documents, papers,
8 letters, clearances, or license or insurance status reports,
9 per page.....\$0.50
10 7. For assisting persons in searching any one
11 individual's driver record at a terminal located at the
12 department's general headquarters in Tallahassee.....\$2.00
13 (b) The department shall furnish such information
14 without charge to any local, state, or federal law enforcement
15 agency or court upon proof satisfactory to the department as
16 to the purpose of the investigation.
17 (12) If the service is provided by the department, the
18 fees collected under this section shall be placed in the
19 Highway Safety Operating Trust Fund. If the service is
20 provided by an exclusive agent county tax collector, the fees
21 collected under this section shall be retained by the tax
22 collector as reimbursement for providing the service as agent
23 of the department.
24 (13) The department or an authorized or exclusive
25 agent county tax collector may ~~is authorized~~ in accordance
26 with chapter 257, ~~to~~ destroy reports, records, documents,
27 papers, and correspondence in the Division of Driver Licenses
28 or the tax collector's office which are ~~considered~~ obsolete.
29 (14) The department or an authorized or exclusive
30 agent county tax collector may ~~is authorized to~~ photograph,
31 microphotograph, or reproduce on film such documents, records,

1 and reports as it may select. The photographs or
2 microphotographs in the form of film or print of any records
3 made in compliance with the provisions of this section shall
4 have the same force and effect as the originals thereof and
5 shall be treated as originals for the purpose of their
6 admissibility in evidence. Duly certified or authenticated
7 reproductions of such photographs or microphotographs shall be
8 admitted in evidence equally with the original photographs or
9 microphotographs.

10 Section 20. Subsections (2), (3), (4), and (5) of
11 section 322.21, Florida Statutes, are amended to read:

12 322.21 License fees; procedure for handling and
13 collecting fees.--

14 (2) ~~It is the duty of~~ The Director of the Division of
15 Driver Licenses shall ~~to~~ set up a division in the department
16 with the necessary personnel to perform the necessary clerical
17 and routine work for the department and an authorized or
18 exclusive agent county tax collector shall provide sufficient
19 personnel to perform all clerical and routine work for the tax
20 collector in issuing and recording applications, licenses, and
21 certificates of eligibility, including the receiving, and
22 accounting, and proper disbursement of all license funds ~~and~~
23 ~~their payment into the State Treasury~~, and performing other
24 incidental clerical work connected with the administration of
25 this chapter. The department or county tax collector may ~~is~~
26 ~~authorized to~~ use such electronic, mechanical, or other
27 devices as necessary to accomplish the purposes of this
28 chapter.

29 (3) The department shall prepare sufficient forms for
30 certificates of eligibility, applications, notices, and
31

1 license materials to supply all authorized agents and all
2 applicants for driver's licenses and all renewal licenses.

3 (4) If the department determines from its records or
4 is otherwise satisfied that the holder of a license about to
5 expire is entitled to have it renewed, the department shall
6 mail a renewal notice to him or her at his or her last known
7 address, not less than 30 days prior to the licensee's
8 birthday. The licensee shall be issued a renewal license,
9 after reexamination, if required, during the 30 days
10 immediately preceding his or her birthday upon presenting a
11 renewal notice, his or her current license, and the fee for
12 renewal to the department or an authorized or exclusive agent
13 county tax collector at any driver's license examining office.

14 (5)(a) The department shall collect and transmit all
15 fees received by it under this section to the Treasurer to be
16 placed in the General Revenue Fund of the state, and
17 sufficient funds for the necessary expenses of the department
18 shall be included in the appropriations act. The fees shall
19 be used for the maintenance and operation of the department.

20 (b) A county tax collector, when serving as an
21 exclusive agent for the department, shall retain as
22 reimbursement for actual services rendered the following
23 portions of fees:

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

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

31

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

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

7 5. For issuance of an endorsement required under s.
8 322.57, \$5.

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

12 Section 21. Section 322.221, Florida Statutes, is
13 amended to read:

14 322.221 Department or an exclusive agent county tax
15 collector may require reexamination.--

16 (1) The department, having good cause to believe that
17 a licensed driver is incompetent or otherwise not qualified to
18 be licensed, may, at any time upon written notice of at least
19 5 days to the licensee, require him or her to submit to an
20 examination or reexamination. Good cause as used herein shall
21 be construed to mean that a licensee's driving record, a
22 report as provided in s. 322.126, or other evidence is
23 sufficient to indicate that his or her driving privilege is
24 detrimental to public safety.

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

29 (b) The department or an exclusive agent county tax
30 collector may, in their ~~its~~ discretion, require any licensed
31 driver to submit to an examination or reexamination prior to

1 his or her normal renewal date upon receipt of a
2 recommendation from a court having jurisdiction of traffic
3 offenses, a law enforcement agency, or a physician stating
4 that the driver's ability to operate a motor vehicle safely is
5 questionable. At the time of renewal of his or her license a
6 driver may be required to submit to an examination or
7 reexamination at the discretion of the examiner if the
8 physical appearance or actions of the licensee give rise to
9 serious doubt as to his or her ability to operate a vehicle
10 safely.

11 (c) If the department or an exclusive agent county tax
12 collector has reason to believe that a licensee is physically
13 or mentally unqualified to operate a motor vehicle, it may
14 require the licensee to submit medical reports regarding his
15 or her physical or mental condition to the department's
16 medical advisory board for its review and recommendation. The
17 submission of medical reports shall be made without expense to
18 the state.

19 (3) Upon the conclusion of such examination or
20 reexamination the department shall take action as may be
21 appropriate and may suspend or revoke the license of such
22 person or permit him or her to retain such license, or may
23 issue a license subject to restrictions as permitted under s.
24 322.16. Refusal or neglect of the licensee to submit to such
25 examination or reexamination shall be ground for suspension or
26 revocation of his or her license.

27 Section 22. Subsections (3) and (6) of section
28 322.251, Florida Statutes, are amended to read:

29 322.251 Notice of cancellation, suspension,
30 revocation, or disqualification of license.--

31

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

24 (6) Whenever a cancellation, suspension, revocation,
25 or disqualification occurs, the department shall enter the
26 cancellation, suspension, revocation, or disqualification
27 order on the licensee's driver file 20 days after the notice
28 was actually placed in the mail. Any inquiry into the file
29 after the 20-day period shall reveal that the license is
30 canceled, suspended, revoked, or disqualified and whether the
31

1 license has been received by the department or an authorized
2 or exclusive agent county tax collector.

3 Section 23. Paragraph (a) of subsection (2) of section
4 322.282, Florida Statutes, is amended to read:

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

10 (2)(a) The court shall issue an order of
11 reinstatement, on a form to be furnished by the department,
12 which the person may take to any driver's license examining
13 office. The department or an authorized or exclusive agent
14 county tax collector shall issue a temporary driver's permit
15 to a licensee who presents the court's order of reinstatement,
16 proof of completion of a department-approved driver training
17 or substance abuse education course, and a written request for
18 a hearing under s. 322.271. The permit shall not be issued if
19 a record check by the department or county tax collector shows
20 that the person has previously been convicted for a violation
21 of s. 316.193, former s. 316.1931, former s. 316.028, former
22 s. 860.01, or a previous conviction outside this state for
23 driving under the influence, driving while intoxicated,
24 driving with an unlawful blood-alcohol level, or any similar
25 alcohol-related or drug-related traffic offense; that the
26 person's driving privilege has been previously suspended for
27 refusal to submit to a lawful test of breath, blood, or urine;
28 or that the person is otherwise not entitled to issuance of a
29 driver's license. This paragraph shall not be construed to
30 prevent the reinstatement of a license or driving privilege
31 that is presently suspended for driving with an unlawful

1 blood-alcohol level or a refusal to submit to a breath, urine,
2 or blood test and is also revoked for a conviction for a
3 violation of s. 316.193 or former s. 316.1931, if the
4 suspension and revocation arise out of the same incident.

5 Section 24. Subsection (4) of section 322.32, Florida
6 Statutes, is amended to read:

7 322.32 Unlawful use of license.--It is a misdemeanor
8 of the second degree, punishable as provided in s. 775.082 or
9 s. 775.083, for any person:

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

15 Section 25. This act shall take effect October 1,
16 2002.

17
18 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
19 COMMITTEE SUBSTITUTE FOR
20 CS/SB 2224

21 This CS differs from the CS as filed in that it:

22 Creates a second category of tax collector, the
23 "exclusive agent county tax collector," who may contract
24 with DHSMV to deliver a comprehensive range of license
25 services, replacing the authority provided in the CS for
26 all county tax collectors to deliver such services;
27 Bradford, Escambia, Hillsborough, Manatee, Pinellas,
28 Saint Johns, and Taylor counties are designated as
29 exclusive agents;

30 Deletes the authority for tax collectors to issue
31 license extensions by mail; and

32 Authorizes the levy of a processing fee for commercial
33 drivers' licenses.