

By the Committee on Transportation and Representatives  
Ritter, Detert, Greenstein and Mahon

1                                   A bill to be entitled  
2           An act relating to driver's licenses; amending  
3           s. 322.051, F.S.; revising application  
4           requirements for the issuance of an  
5           identification card; revising the expiration  
6           period for an identification card issued to a  
7           person who established his or her identity by  
8           using specified identification documents;  
9           amending s. 322.08, F.S.; revising application  
10          requirements for the issuance of a driver's  
11          license; amending s. 322.17, F.S.; providing  
12          that a driver's licensee who established his or  
13          her identity using specified identification  
14          documents may not obtain a duplicate or  
15          replacement permit except in person; amending  
16          s. 322.18, F.S.; revising the expiration period  
17          for a driver's license issued to a person who  
18          established his or her identity by using  
19          specified identification documents; requiring a  
20          person issued such a license to renew it in  
21          person and submit certain identification  
22          documents; amending s. 322.19, F.S.; providing  
23          that a driver's licensee who established his or  
24          her identity using specified identification  
25          documents may not change his or her name or  
26          address except in person; amending s. 322.212,  
27          F.S.; prohibiting a person from knowingly  
28          selling, manufacturing, or delivering, or  
29          offering to sell, manufacture, or deliver, any  
30          blank, forged, stolen, fictitious, counterfeit,  
31          or unlawfully issued driver's license or

1 identification card or any instrument in the  
2 similitude of such license or card; providing a  
3 penalty; authorizing investigations of a  
4 violation of certain provisions; providing an  
5 effective date.

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

8  
9 Section 1. Subsections (1) and (2) of section 322.051,  
10 Florida Statutes, are amended to read:

11 322.051 Identification cards.--

12 (1) Any person who is 12 years of age or older, or any  
13 person who has a disability, regardless of age, who applies  
14 for a disabled parking permit under s. 320.0848, may be issued  
15 an identification card by the department upon completion of an  
16 application and payment of an application fee.

17 (a) Each such application shall include the following  
18 information regarding the applicant:

19 1. Full name (first, middle or maiden, and last),  
20 gender, social security card number, residence and mailing  
21 address, place of birth, and a brief description.

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

23 3. Proof of identity satisfactory to the department.

24 Such proof must include one of the following documents issued  
25 to the applicant:~~unless~~

26 a. A driver's license record or identification card  
27 record from another jurisdiction that required the applicant  
28 to submit a document for identification which is substantially  
29 similar to a document required under sub-subparagraph b.,  
30 sub-subparagraph c., sub-subparagraph d., sub-subparagraph e.,  
31 or sub-subparagraph f.;~~has already been established.~~

1           b. A certified copy of a United States birth  
2 certificate;~~;~~  
3           c. A valid United States passport;~~;~~  
4           d. An alien registration receipt card (green card);~~;~~  
5           e. An employment authorization card issued by the  
6 United States Department of Justice;~~;~~or  
7           f. Proof of nonimmigrant classification provided by  
8 the United States Department of Justice, for an original  
9 identification card.

10           (b) An application for an identification card must be  
11 signed and verified by the applicant in a format designated by  
12 the department before a person authorized to administer oaths.  
13 The fee for an identification card is \$3, including payment  
14 for the color photograph or digital image of the applicant.

15           (2)(a) Every identification card shall expire, unless  
16 canceled earlier, on the fourth birthday of the applicant  
17 following the date of original issue. However, if an  
18 individual is 60 years of age or older, and has an  
19 identification card issued under this section, the card shall  
20 not expire unless done so by cancellation by the department or  
21 by the death of the cardholder. Renewal of any identification  
22 card shall be made for a term which shall expire on the fourth  
23 birthday of the applicant following expiration of the  
24 identification card renewed, unless surrendered earlier. Any  
25 application for renewal received later than 90 days after  
26 expiration of the identification card shall be considered the  
27 same as an application for an original identification card.  
28 The renewal fee for an identification card shall be \$3. The  
29 department shall, at the end of 4 years and 6 months after the  
30 issuance or renewal of an identification card, destroy any  
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1 record of the card if it has expired and has not been renewed,  
2 unless the cardholder is 60 years of age or older.

3 (b) Notwithstanding any other provision of this  
4 chapter, if an applicant establishes his or her identity for  
5 an identification card using a document authorized under  
6 sub-subparagraph (1)(a)3.d., the identification card shall  
7 expire on the fourth birthday of the applicant following the  
8 date of original issue or upon first renewal or duplicate  
9 after implementation of this section. After an initial showing  
10 of such documentation, the applicant is exempted from having  
11 to renew or obtain a duplicate in person.

12 (c) Notwithstanding any other provision of this  
13 chapter, if an applicant establishes his or her identity for  
14 an identification card using a document authorized under  
15 sub-subparagraph (1)(a)3.e. or sub-subparagraph (1)(a)3.f.,  
16 the identification card shall expire 4 years after the date of  
17 issuance or upon the expiration date cited on such document,  
18 whichever date first occurs. An applicant establishing his or  
19 her identity using a document authorized under  
20 sub-subparagraph (1)(a)3.e. or sub-subparagraph (1)(a)3.f. may  
21 not renew or obtain a duplicate identification card except in  
22 person.

23 Section 2. Subsection (2) of section 322.08, Florida  
24 Statutes, is amended to read:

25 322.08 Application for license.--

26 (2) Each such application shall include the following  
27 information regarding the applicant:

28 (a) Full name (first, middle or maiden, and last),  
29 gender, social security card number, residence and mailing  
30 address, place of birth, and a brief description.

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1 (b) Proof of birth date satisfactory to the  
2 department.

3 (c) Proof of identity satisfactory to the department.  
4 Such proof must include one of the following documents issued  
5 to the applicant:~~unless~~

6 1. A driver's license record or identification card  
7 record from another jurisdiction that required the applicant  
8 to submit a document for identification which is substantially  
9 similar to a document required under subparagraph 2.,  
10 subparagraph 3., subparagraph 4., subparagraph 5., or  
11 subparagraph 6.;~~has already been established;~~

12 2. A certified copy of a United States birth  
13 certificate;

14 3. A valid United States passport;

15 4. An alien registration receipt card (green card);

16 5. An employment authorization card issued by the  
17 United States Department of Justice;~~or~~

18 6. Proof of nonimmigrant classification provided by  
19 the United States Department of Justice,~~for an original~~  
20 license.

21 (d) Whether the applicant has previously been licensed  
22 to drive, and, if so, when and by what state, and whether any  
23 such license or driving privilege has ever been disqualified,  
24 revoked, or suspended, or whether an application has ever been  
25 refused, and, if so, the date of and reason for such  
26 disqualification, suspension, revocation, or refusal.

27 Section 3. Subsection (3) is added to section 322.17,  
28 Florida Statutes, to read:

29 322.17 Duplicate and replacement certificates.--

30 (3) Notwithstanding any other provision of this  
31 chapter, if a licensee established his or her identity for a

1 driver's license using an identification document authorized  
2 under s. 322.08(2)(c)5. or 6., the licensee may not obtain a  
3 duplicate or replacement instruction permit or driver's  
4 license except in person and upon submission of an  
5 identification document authorized under s. 322.08(2)(c)4.,  
6 5., or 6.

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

9 322.18 Original applications, licenses, and renewals;  
10 expiration of licenses; delinquent licenses.--

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

14 (a) An applicant applying for an original issuance  
15 shall be issued a driver's license which expires at midnight  
16 on the licensee's birthday which next occurs on or after the  
17 sixth anniversary of the date of issue.

18 (b) An applicant applying for a renewal issuance or  
19 renewal extension shall be issued a driver's license or  
20 renewal extension sticker which expires at midnight on the  
21 licensee's birthday which next occurs 4 years after the month  
22 of expiration of the license being renewed, except that a  
23 driver whose driving record reflects no convictions for the  
24 preceding 3 years shall be issued a driver's license or  
25 renewal extension sticker which expires at midnight on the  
26 licensee's birthday which next occurs 6 years after the month  
27 of expiration of the license being renewed.

28 (c) Notwithstanding any other provision of this  
29 chapter, if an applicant establishes his or her identity for a  
30 driver's license using an identification document authorized  
31 under s. 322.08(2)(c)4., the driver's license shall expire at

1 midnight on the sixth birthday of the applicant following the  
2 date of original issue. After an initial showing of such  
3 documentation, the applicant is exempted from having to renew  
4 or obtain a duplicate in person.

5 (d) Notwithstanding any other provision of this  
6 chapter, if an applicant establishes his or her identity for a  
7 driver's license using a document authorized under s.  
8 322.08(2)(c)5. or 6., the driver's license shall expire 4  
9 years after the date of issuance or upon the expiration date  
10 cited on the document, whichever date first occurs.

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

18 (b) Notwithstanding any other provision of this  
19 chapter, if an applicant establishes his or her identity for a  
20 driver's license using a document authorized under s.  
21 322.08(2)(c)4., the applicant is exempted from having to renew  
22 or obtain a duplicate in person, unless the renewal or  
23 duplication coincides with the periodic reexamination of a  
24 driver as required pursuant to s. 322.121.

25 (c) Notwithstanding any other provision of this  
26 chapter, if an applicant establishes his or her identity for a  
27 driver's license using an identification document authorized  
28 under s. 322.08(2)(c)5. or 6., the applicant may not renew the  
29 driver's license except in person and upon submission of an  
30 identification document authorized under s. 322.08(2)(c)4.,  
31 5., or 6. A driver's license renewed under this paragraph

1 shall expire 4 years after the date of issuance or upon the  
2 expiration date cited on the United States Department of  
3 Justice documents used for identification, whichever date  
4 first occurs.

5 Section 5. Subsection (4) is added to section 322.19,  
6 Florida Statutes, to read:

7 322.19 Change of address or name.--

8 (4) Notwithstanding any other provision of this  
9 chapter, if a licensee established his or her identity for a  
10 driver's license using an identification document authorized  
11 under s. 322.08(2)(c)5. or 6., the licensee may not change his  
12 or her name or address except in person and upon submission of  
13 an identification document authorized under s. 322.08(2)(c)4.,  
14 5., or 6.

15 Section 6. Subsections (1) and (6) of section 322.212,  
16 Florida Statutes, are amended to read:

17 322.212 Unauthorized possession of, and other unlawful  
18 acts in relation to, driver's license or identification  
19 card.--

20 (1) It is unlawful for any person to:

21 (a) Knowingly ~~to~~ have in his or her possession or to  
22 display any blank, forged, stolen, fictitious, counterfeit, or  
23 unlawfully issued driver's license or identification card or  
24 any instrument in the similitude of a driver's license or  
25 identification card unless possession by such person has been  
26 duly authorized by the department;

27 (b) Knowingly ~~to~~ have in his or her possession any  
28 instrument in the similitude of a driver's license issued by  
29 the department or its duly authorized agents or those of any  
30 state or jurisdiction issuing licenses recognized in this  
31 state for the operation of a motor vehicle; ~~or~~



1           (c) Knowingly ~~to~~ have in his or her possession any  
2 instrument in the similitude of an identification card issued  
3 by the department or its duly authorized agents or those of  
4 any state or jurisdiction issuing identification cards  
5 recognized in this state for the purpose of indicating a  
6 person's true name and age; or-

7           (d) Knowingly sell, manufacture, or deliver, or  
8 knowingly offer to sell, manufacture, or deliver, a blank,  
9 forged, stolen, fictitious, counterfeit, or unlawfully issued  
10 driver's license or identification card, or an instrument in  
11 the similitude of a driver's license or identification card,  
12 unless that person is authorized to do so by the department. A  
13 violation of this paragraph may be investigated by any state  
14 agency, including, but not limited to, the Division of  
15 Alcoholic Beverages and Tobacco.

16  
17 The term "driver's license" includes a driver's license issued  
18 by the department or its agents or a driver's license issued  
19 by any state or jurisdiction that issues licenses recognized  
20 in this state for the operation of a motor vehicle. The term  
21 "identification card" includes any identification card issued  
22 by the department or its agents or any identification card  
23 issued by any state or jurisdiction that issues identification  
24 cards recognized in this state for the purpose of indicating a  
25 person's true name and age. This subsection does not prohibit  
26 a person from possessing or displaying another person's  
27 driver's license or identification card for a lawful purpose.

28           (6) Except as otherwise provided in this subsection,  
29 any person who violates any of the provisions of this section  
30 is guilty of a felony of the third degree, punishable as  
31 provided in s. 775.082, s. 775.083, or s. 775.084. ~~However,~~

1 Any person who violates paragraph (5)(a) by giving a false age  
2 in any application for a driver's license or identification  
3 card or who violates paragraph (5)(b) by possessing a driver's  
4 license, identification card, or any instrument in the  
5 similitude thereof, on which the date of birth has been  
6 altered is guilty of a misdemeanor of the second degree,  
7 punishable as provided in s. 775.082 or s. 775.083. Any person  
8 who violates paragraph (1)(d) commits a felony of the second  
9 degree, punishable as provided in s. 775.082, s. 775.083, or  
10 s. 775.084.

11 Section 7. This act shall take effect October 1, 2002.

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