

By Senator Burt

16-3-02

1 A bill to be entitled
2 An act relating to unlawful activities
3 involving driver's licenses and identification
4 cards; amending s. 322.212, F.S.; prohibiting a
5 person from knowingly selling, manufacturing,
6 or delivering, or offering to sell,
7 manufacture, or deliver, any blank, forged,
8 stolen, fictitious, counterfeit, or unlawfully
9 issued driver's license or identification card
10 or any instrument in the similitude of such
11 license or such card; providing a penalty;
12 authorizing investigations of violations of
13 this section; providing an effective date.

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

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

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

22 (1) It is unlawful for any person:

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

29 (b) Knowingly to have in his or her possession any
30 instrument in the similitude of a driver's license issued by
31 the department or its duly authorized agents or those of any

1 state or jurisdiction issuing licenses recognized in this
2 state for the operation of a motor vehicle; ~~or~~

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

9 (d) Knowingly to sell, manufacture, or deliver, or
10 knowingly to offer to sell, manufacture, or deliver, any
11 blank, forged, stolen, fictitious, counterfeit, or unlawfully
12 issued driver's license or identification card or any
13 instrument in the similitude of a driver's license or
14 identification card unless such person has been duly
15 authorized by the department. Violations of this paragraph may
16 be investigated by any state agency, including, but not
17 limited to, the Division of Alcoholic Beverages and Tobacco.

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

30 (6) Except as otherwise provided in this subsection,
31 any person who violates any of the provisions of this section

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

13 Section 2. This act shall take effect October 1, 2002.

14 *****

15 SENATE SUMMARY

16 Prohibits, without approval by the Department of Highway
17 Safety and Motor Vehicles, the knowing sale, manufacture,
18 or delivery, or the offering to sell, manufacture, or
19 deliver, a blank, forged, stolen, fictitious,
20 counterfeit, or unlawfully issued driver's license or
21 identification card or similar document. Violation
22 constitutes a second-degree felony, and violations may be
23 investigated by any state agency, including,
24 specifically, the Division of Alcoholic Beverages and
25 Tobacco.
26
27
28
29
30
31