

By Senator Brown-Waite

10-676-02

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. 322.18, F.S.; revising the
12 expiration period for a driver's license issued
13 to a person who established his or her identity
14 by using specified identification documents;
15 requiring a person issued such a license to
16 renew it in person and submit certain
17 identification documents; amending s. 322.212,
18 F.S.; prohibiting a person from knowingly
19 selling, manufacturing, or delivering, or
20 offering to sell, manufacture, or deliver, any
21 blank, forged, stolen, fictitious, counterfeit,
22 or unlawfully issued driver's license or
23 identification card or any instrument in the
24 similitude of such license or card; providing a
25 penalty; authorizing investigations of a
26 violation of certain provisions; providing an
27 effective date.

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

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

3 322.051 Identification cards.--

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

9 (a) Each such application shall include the following
10 information regarding the applicant:

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

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

15 3. Proof of identity satisfactory to the department.

16 Such proof must include one of the following documents issued
17 to the applicant:~~unless~~

18 a. A driver's license record or identification card
19 record from another jurisdiction that required the applicant
20 to submit a document for identification which is substantially
21 similar to a document required under sub-subparagraph b.,
22 sub-subparagraph c., sub-subparagraph d., sub-subparagraph e.,
23 or sub-subparagraph f.;~~has already been established;~~

24 b. A certified copy of a United States birth
25 certificate;~~or~~

26 c. A valid United States passport;~~or~~

27 d. An alien registration receipt card (green card);~~or~~

28 e. An employment authorization card issued by the
29 United States Department of Justice;~~or~~

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1 f. Proof of nonimmigrant classification provided by
2 the United States Department of Justice, for an original
3 identification card.

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

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

27 (b) Notwithstanding any other provision of this
28 chapter, if an applicant establishes his or her identity for
29 an identification card using an identification document
30 authorized under sub-subparagraph (a)3.d., sub-subparagraph
31 (a)3.e., or sub-subparagraph (a)3.f., the identification card

1 shall expire 3 years after the date of issuance and may not be
2 renewed except in person.

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

5 322.08 Application for license.--

6 (2) Each such application shall include the following
7 information regarding the applicant:

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

11 (b) Proof of birth date satisfactory to the
12 department.

13 (c) Proof of identity satisfactory to the department.
14 Such proof must include one of the following documents issued
15 to the applicant:~~unless~~

16 1. A driver's license record or identification card
17 record from another jurisdiction that required the applicant
18 to submit a document for identification which is substantially
19 similar to a document required under subparagraph 2.,
20 subparagraph 3., subparagraph 4., subparagraph 5., or
21 subparagraph 6.;~~has already been established;~~

22 2. A certified copy of a United States birth
23 certificate;~~7~~

24 3. A valid United States passport;~~7~~

25 4. An alien registration receipt card (green card);~~7~~

26 5. An employment authorization card issued by the
27 United States Department of Justice;~~7~~or

28 6. Proof of nonimmigrant classification provided by
29 the United States Department of Justice,~~7~~ ~~for an original~~
30 license.

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1 (d) Whether the applicant has previously been licensed
2 to drive, and, if so, when and by what state, and whether any
3 such license or driving privilege has ever been disqualified,
4 revoked, or suspended, or whether an application has ever been
5 refused, and, if so, the date of and reason for such
6 disqualification, suspension, revocation, or refusal.

7 Section 3. 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., s. 322.08(2)(c)5., or s.

1 322.08(2)(c)6., the driver's license shall expire 3 years
2 after the date of issuance.

3 (4)(a) Except as otherwise provided in this chapter,
4 all licenses shall be renewable every 4 years or 6 years,
5 depending upon the terms of issuance and shall be issued or
6 extended upon application, payment of the fees required by s.
7 322.21, and successful passage of any required examination,
8 unless the department has reason to believe that the licensee
9 is no longer qualified to receive a license.

10 (b) Notwithstanding any other provision of this
11 chapter, if a licensee established his or her identity for a
12 driver's license using an identification document authorized
13 under s. 322.08(2)(c)4., s. 322.08(2)(c)5., or s.
14 322.08(2)(c)6., the licensee may not renew the driver's
15 license expect in person and upon submission of an
16 identification document authorized under s. 322.08(2)(c)4., s.
17 322.08(2)(c)5., or s. 322.08(2)(c)6. A driver's license
18 renewed under this paragraph expires 3 years after the date of
19 issuance.

20 Section 4. Subsections (1) and (6) of section 322.212,
21 Florida Statutes, are amended to read:

22 322.212 Unauthorized possession of, and other unlawful
23 acts in relation to, driver's license or identification
24 card.--

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

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

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

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

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

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

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

17 Section 5. This act shall take effect October 1, 2001.

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20 SENATE SUMMARY

21 Revises the application requirements for an
22 identification card and a driver's license. Provides that
23 an identification card or driver's license issued to a
24 person who establishes his or her identity with certain
25 documents expires 3 years after the date of issuance.
26 Requires that such a card or license be renewed in
27 person. Provides it is a second-degree felony to
28 knowingly sell, manufacture, or deliver, or offer to
29 sell, manufacture, or deliver, a blank, forged, stolen,
30 fictitious, counterfeit, or unlawfully issued driver's
31 license or identification card. (See bill for details.)