

By the Committee on Transportation; and Senators Brown-Waite,
Burt, Geller and Dyer

306-1340-02

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. 322.17, F.S.; revising
12 requirements relating to the issuance of a
13 duplicate driver's license; amending s. 322.18,
14 F.S.; revising the expiration period for a
15 driver's license issued to a person who
16 established his or her identity by using
17 specified identification documents; requiring a
18 person issued such a license to renew it in
19 person and submit certain identification
20 documents; amending s. 322.19, F.S.; revising
21 requirements relating to name and address
22 changes for driver's licenses; amending s.
23 322.212, F.S.; prohibiting a person from
24 knowingly selling, manufacturing, or
25 delivering, or offering to sell, manufacture,
26 or deliver, any blank, forged, stolen,
27 fictitious, counterfeit, or unlawfully issued
28 driver's license or identification card or any
29 instrument in the similitude of such license or
30 card; authorizing investigations of a violation
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1 of certain provisions; providing a penalty;
2 providing an effective date.

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

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

8 322.051 Identification cards.--

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

14 (a) Each such application shall include the following
15 information regarding the applicant:

16 1. Full name (first, middle or maiden, and last),
17 gender, social security card number, residence and mailing
18 address, country of birth, and a brief description.

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

20 3. Proof of identity satisfactory to the department.

21 Such proof must include one of the following documents issued
22 to the applicant:~~unless~~

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

29 b. A certified copy of a United States birth
30 certificate;~~;~~

31 c. A valid United States passport;~~;~~

1 d. An alien registration receipt card (green card)i~~7~~

2 e. An employment authorization card issued by the
3 United States Department of Justice;i~~7~~or

4 f. Proof of nonimmigrant classification provided by
5 the United States Department of Justice, for an original
6 identification card.

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

12 (c) Each such applicant may include fingerprints and
13 any other unique biometric means of identity.

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

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

10 (c) Notwithstanding any other provisions of this
11 chapter, if an applicant establishes his or her identify for
12 an identification card using an identification document
13 authorized under sub-subparagraphs (a)3.e.-f., the
14 identification card shall expire 4 years after the date of
15 issuance or upon the expiration date cited on the United
16 States Department of Justice documents, whichever date first
17 occurs and may not be renewed or obtain a duplicate except in
18 person.

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

21 322.08 Application for license.--

22 (2) Each such application shall include the following
23 information regarding the applicant:

24 (a) Full name (first, middle or maiden, and last),
25 gender, social security card number, residence and mailing
26 address, country of birth, and a brief description.

27 (b) Proof of birth date satisfactory to the
28 department.

29 (c) Proof of identity satisfactory to the department.
30 Such proof must include one of the following documents issued
31 to the applicant:~~unless~~

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

7 2. A certified copy of a United States birth
8 certificate;;

9 3. A valid United States passport;;

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

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

13 6. Proof of nonimmigrant classification provided by
14 the United States Department of Justice, ~~for an original~~
15 ~~license.~~

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

22 (e) Each such application may include fingerprints and
23 other unique biometric means of identity.

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

26 322.17 Duplicate and replacement certificates.--

27 (3) Notwithstanding any other provisions of this
28 chapter, if a licensee establishes his or her identity for a
29 driver's license using an identification document authorized
30 under s. 322.08(2)(c)5.-6., the licensee may not obtain a
31 duplicate or replacement instruction permit or driver's

1 license except in person and upon submission of an
2 identification document authorized under s. 322.08(2)(c)5.-6.

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

5 322.18 Original applications, licenses, and renewals;
6 expiration of licenses; delinquent licenses.--

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

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

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

24 (c) Notwithstanding any other provision of this
25 chapter, if an applicant establishes his or her identity for a
26 driver's license using a document authorized under s.
27 322.08(2)(c)4., the driver's license shall expire in
28 accordance with paragraph (b). After an initial showing of
29 such documentation, he or she is exempted from having to renew
30 or obtain a duplicate in person.

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1 (d) Notwithstanding any other provision of this
2 chapter, if applicant establishes his or her identity for a
3 driver's license using a document authorized in s.
4 322.08(2)(c)5. or s. 322.08(2)(c)6., the driver's license
5 shall expire 4 years after the date of issuance or upon the
6 expiration date cited on the United States Department of
7 Justice documents, whichever date first occurs.

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

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

23 (c) Notwithstanding any other provision of this
24 chapter, if a licensee establishes his or her identity for a
25 driver's license using an identification document authorized
26 under s. 322.08(2)(c)5., or s. 322.08(2)(c)6., the licensee
27 may not renew the driver's license except in person and upon
28 submission of an identification document authorized under s.
29 322.08(2)(c)4.-6. A driver's license renewed under this
30 paragraph expires 4 years after the date of issuance or upon
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1 the expiration date cited on the United States Department of
2 Justice documents, whichever date first occurs.

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

5 322.19 Change of address or name.--

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

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

14 322.212 Unauthorized possession of, and other unlawful
15 acts in relation to, driver's license or identification
16 card.--

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

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

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

29 (c) Knowingly ~~to~~ have in his or her possession any
30 instrument in the similitude of an identification card issued
31 by the department or its duly authorized agents or those of

1 any state or jurisdiction issuing identification cards
2 recognized in this state for the purpose of indicating a
3 person's true name and age; ~~or~~

4 (d) Knowingly sell, manufacture, or deliver, or
5 knowingly offer to sell, manufacture, or deliver, a blank,
6 forged, stolen, fictitious, counterfeit, or unlawfully issued
7 driver's license or identification card, or an instrument in
8 the similitude of a driver's license or identification card,
9 unless that person is authorized to do so by the department. A
10 violation of this paragraph may be investigated by any law
11 enforcement agency, including the Division of Alcoholic
12 Beverages and Tobacco.

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

25 (6) Except as otherwise provided in this subsection,
26 any person who violates any of the provisions of this section
27 is guilty of a felony of the third degree, punishable as
28 provided in s. 775.082, s. 775.083, or s. 775.084. ~~However,~~
29 Any person who violates paragraph (5)(a) by giving a false age
30 in any application for a driver's license or identification
31 card or who violates paragraph (5)(b) by possessing a driver's

1 license, identification card, or any instrument in the
2 similitude thereof, on which the date of birth has been
3 altered is guilty of a misdemeanor of the second degree,
4 punishable as provided in s. 775.082 or s. 775.083. Any person
5 who violates paragraph (1)(d) commits a felony of the second
6 degree, punishable as provided in s. 775.082, s. 775.083, or
7 s. 775.084.

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

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10 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
11 COMMITTEE SUBSTITUTE FOR
12 SB 520

13 This CS provides that driver licenses issued to individuals
14 who rely on an alien registration receipt card (green card) to
15 establish proof of identity shall expire in accordance with
16 existing renewal periods.

17 The CS provides that driver licenses issued to individuals who
18 rely on certain identification documents issued by the United
19 States Department of Justice to establish proof of identity
20 shall expire 4 years from the date of issuance or upon the
21 expiration date reflected on the appropriate Department of
22 Justice document, whichever occurs first. Applicable licensees
23 may not renew except in person and upon submission of the
24 applicable identification documentation. The CS also conforms
25 requirements for replacement or duplicate licenses, and name
26 and address changes.

27 The CS authorizes the Department of Highway Safety and Motor
28 Vehicles to incorporate fingerprints and other unique
29 biometric means of identity into the application for driver
30 licenses and identification cards.
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