

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
31 of certain provisions; providing a penalty;

1 amending s. 921.0022, F.S.; correcting
2 statutory reference; providing an effective
3 date.

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

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

9 322.051 Identification cards.--

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

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

- 17 1. Full name (first, middle or maiden, and last),
18 gender, social security card number, residence and mailing
19 address, country of birth, and a brief description.
20 2. Proof of birth date satisfactory to the department.
21 3. Proof of identity satisfactory to the department.

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

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

30 b. A certified copy of a United States birth
31 certificate;7

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

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

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

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 (a)3.d., the identification card shall expire
7 on the 4th birthday of the applicant following the date of
8 original issue or upon first renewal or duplicate issued after
9 implementation of this section. After an initial showing of
10 such documentation, he or she is exempted from having to renew
11 or obtain a duplicate in person.

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

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

23 322.08 Application for license.--

24 (2) Each such application shall include the following
25 information regarding the applicant:

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

29 (b) Proof of birth date satisfactory to the
30 department.

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

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

10 2. A certified copy of a United States birth
11 certificate;

12 3. A valid United States passport;

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

14 5. An employment authorization card issued by the
15 United States Department of Justice;or

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

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

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

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 provisions of this
31 chapter, if a licensee establishes his or her identity for a

1 driver's license using an identification document authorized
2 under s. 322.08(2)(c)5.-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)5.-6.

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

8 322.18 Original applications, licenses, and renewals;
9 expiration of licenses; delinquent licenses.--

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

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

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

27 (c) Notwithstanding any other provision of this
28 chapter, if an applicant establishes his or her identity for a
29 driver's license using a document authorized under s.
30 322.08(2)(c)4., the driver's license shall expire in
31 accordance with paragraph (b). After an initial showing of

1 such documentation, he or she is exempted from having to renew
2 or obtain a duplicate in person.

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

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

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

25 (c) Notwithstanding any other provision of this
26 chapter, if a licensee 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 s. 322.08(2)(c)6., the licensee
29 may not renew the driver's license except in person and upon
30 submission of an identification document authorized under s.
31 322.08(2)(c)4.-6. A driver's license renewed under this

1 paragraph expires 4 years after the date of issuance or upon
2 the expiration date cited on the United States Department of
3 Justice documents, whichever date first occurs.

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

6 322.19 Change of address or name.--

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

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

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

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

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

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

30 (c) Knowingly ~~to~~ have in his or her possession any
31 instrument in the similitude of an identification card issued

1 by the department or its duly authorized agents or those of
2 any state or jurisdiction issuing identification cards
3 recognized in this state for the purpose of indicating a
4 person's true name and age; ~~or-~~

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

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

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

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

9 Section 7. Paragraph (a) of subsection (3) of section
 10 921.0022, Florida Statutes, is amended to read:

11 921.0022 Criminal Punishment Code; offense severity
 12 ranking chart.--

13 (3) OFFENSE SEVERITY RANKING CHART

Florida	Felony	
Statute	Degree	Description
		(a) LEVEL 1
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount greater than \$300 but less than \$20,000.
319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.

1	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell
2			registration license plates or
3			validation stickers.
4	<u>322.212(1)(a)-(c)</u>		
5	322.212(1)	3rd	Possession of forged, stolen,
6			counterfeit, or unlawfully issued
7			driver's license; possession of
8			simulated identification.
9	322.212(4)	3rd	Supply or aid in supplying
10			unauthorized driver's license or
11			identification card.
12	322.212(5)(a)	3rd	False application for driver's
13			license or identification card.
14	370.13(3)(a)	3rd	Molest any stone crab trap, line,
15			or buoy which is property of
16			licenseholder.
17	370.135(1)	3rd	Molest any blue crab trap, line,
18			or buoy which is property of
19			licenseholder.
20	372.663(1)	3rd	Poach any alligator or
21			crocodilia.
22	414.39(2)	3rd	Unauthorized use, possession,
23			forgery, or alteration of food
24			stamps, Medicaid ID, value
25			greater than \$200.
26	414.39(3)(a)	3rd	Fraudulent misappropriation of
27			public assistance funds by
28			employee/official, value more
29			than \$200.
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31			

1	443.071(1)	3rd	False statement or representation
2			to obtain or increase
3			unemployment compensation
4			benefits.
5	509.151(1)	3rd	Defraud an innkeeper, food or
6			lodging value greater than \$300.
7	517.302(1)	3rd	Violation of the Florida
8			Securities and Investor
9			Protection Act.
10	562.27(1)	3rd	Possess still or still apparatus.
11	713.69	3rd	Tenant removes property upon
12			which lien has accrued, value
13			more than \$50.
14	812.014(3)(c)	3rd	Petit theft (3rd conviction);
15			theft of any property not
16			specified in subsection (2).
17	812.081(2)	3rd	Unlawfully makes or causes to be
18			made a reproduction of a trade
19			secret.
20	815.04(4)(a)	3rd	Offense against intellectual
21			property (i.e., computer
22			programs, data).
23	817.52(2)	3rd	Hiring with intent to defraud,
24			motor vehicle services.
25	826.01	3rd	Bigamy.
26	828.122(3)	3rd	Fighting or baiting animals.
27	831.04(1)	3rd	Any erasure, alteration, etc., of
28			any replacement deed, map, plat,
29			or other document listed in s.
30			92.28.
31			

1	831.31(1)(a)	3rd	Sell, deliver, or possess
2			counterfeit controlled
3			substances, all but s. 893.03(5)
4			drugs.
5	832.041(1)	3rd	Stopping payment with intent to
6			defraud \$150 or more.
7	832.05		
8	(2)(b)&(4)(c)	3rd	Knowing, making, issuing
9			worthless checks \$150 or more or
10			obtaining property in return for
11			worthless check \$150 or more.
12	838.015(3)	3rd	Bribery.
13	838.016(1)	3rd	Public servant receiving unlawful
14			compensation.
15	838.15(2)	3rd	Commercial bribe receiving.
16	838.16	3rd	Commercial bribery.
17	843.18	3rd	Fleeing by boat to elude a law
18			enforcement officer.
19	847.011(1)(a)	3rd	Sell, distribute, etc., obscene,
20			lewd, etc., material (2nd
21			conviction).
22	849.01	3rd	Keeping gambling house.
23	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc.,
24			or assist therein, conduct or
25			advertise drawing for prizes, or
26			dispose of property or money by
27			means of lottery.
28	849.23	3rd	Gambling-related machines;
29			"common offender" as to property
30			rights.
31	849.25(2)	3rd	Engaging in bookmaking.

1	860.08	3rd	Interfere with a railroad signal.
2	860.13(1)(a)	3rd	Operate aircraft while under the
3			influence.
4	893.13(2)(a)2.	3rd	Purchase of cannabis.
5	893.13(6)(a)	3rd	Possession of cannabis (more than
6			20 grams).
7	893.13(7)(a)10.	3rd	Affix false or forged label to
8			package of controlled substance.
9	934.03(1)(a)	3rd	Intercepts, or procures any other
10			person to intercept, any wire or
11			oral communication.

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

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