

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; amending s. 921.0022,

1 F.S.; correcting statutory reference; providing
2 an effective date.

3
4 Be It Enacted by the Legislature of the State of Florida:

5
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;~~7~~

31 c. A valid United States passport;~~7~~

- 1 d. An alien registration receipt card (green card);~~or~~
2 e. An employment authorization card issued by the
3 United States Department of Justice;~~or~~
4 f. Proof of nonimmigrant classification provided by
5 the United States Department of Justice, for an original
6 identification card. In order to prove such nonimmigrant
7 classification, applicants may produce but are not limited to
8 the following documents:
- 9 i. A notice of hearing from an immigration court
10 scheduling a hearing on any proceeding.
- 11 ii. A notice from the Board of Immigration Appeals
12 acknowledging pendency of an appeal.
- 13 iii. Notice of the approval of an application for
14 adjustment of status issued by the United States Immigration
15 and Naturalization Service.
- 16 iv. Any official documentation confirming the filing
17 of a petition for asylum status or any other relief issued by
18 the United States Immigration and Naturalization Service.
- 19 v. Notice of action transferring any pending matter
20 from another jurisdiction to Florida, issued by the United
21 States Immigration and Naturalization Service.
- 22 vi. Order of an immigration judge or immigration
23 officer granting any relief that authorizes the alien to live
24 and work in the United States including, but not limited to
25 asylum.
- 26
- 27 Presentation of any of the foregoing documents shall entitle
28 the applicant to a driver's license or temporary permit for a
29 period not to exceed the expiration date of the document
30 presented or 2 years, whichever first occurs.
- 31

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

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

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

26 (b) Notwithstanding any other provision of this
27 chapter, if an applicant establishes his or her identity for
28 an identification card using a document authorized under
29 sub-subparagraph (a)3.d., the identification card shall expire
30 on the 4th birthday of the applicant following the date of
31 original issue or upon first renewal or duplicate issued after

1 implementation of this section. After an initial showing of
2 such documentation, he or she is exempted from having to renew
3 or obtain a duplicate in person.

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

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

15 322.08 Application for license.--

16 (2) Each such application shall include the following
17 information regarding the applicant:

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

21 (b) Proof of birth date satisfactory to the
22 department.

23 (c) Proof of identity satisfactory to the department.
24 Such proof must include one of the following documents issued
25 to the applicant:~~unless~~

26 1. 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 subparagraph 2.,
30 subparagraph 3., subparagraph 4., subparagraph 5., or
31 subparagraph 6.;~~has already been established:~~

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

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

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

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

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

10 (d) Whether the applicant has previously been licensed
11 to drive, and, if so, when and by what state, and whether any
12 such license or driving privilege has ever been disqualified,
13 revoked, or suspended, or whether an application has ever been
14 refused, and, if so, the date of and reason for such
15 disqualification, suspension, revocation, or refusal.

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

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

20 322.17 Duplicate and replacement certificates.--

21 (3) Notwithstanding any other provisions of this
22 chapter, if a licensee establishes his or her identity for a
23 driver's license using an identification document authorized
24 under s. 322.08(2)(c)5.-6., the licensee may not obtain a
25 duplicate or replacement instruction permit or driver's
26 license except in person and upon submission of an
27 identification document authorized under s. 322.08(2)(c)5.-6.

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

30 322.18 Original applications, licenses, and renewals;
31 expiration of licenses; delinquent licenses.--

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

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

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

18 (c) 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 driver's license shall expire in
22 accordance with paragraph (b). After an initial showing of
23 such documentation, he or she is exempted from having to renew
24 or obtain a duplicate in person.

25 (d) Notwithstanding any other provision of this
26 chapter, if applicant establishes his or her identity for a
27 driver's license using a document authorized in s.
28 322.08(2)(c)5. or s. 322.08(2)(c)6., the driver's license
29 shall expire 4 years after the date of issuance or upon the
30 expiration date cited on the United States Department of
31 Justice documents, whichever date first occurs.

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

8 (b) Notwithstanding any other provision of this
9 chapter, if an applicant establishes his or her identity for a
10 driver's license using a document authorized under s.
11 322.08(2)(c)4., the license, upon an initial showing of such
12 documentation, is exempted from having to renew or obtain a
13 duplicate in person, unless the renewal or duplication
14 coincides with the periodic reexamination of a driver as
15 required pursuant to s. 322.121.

16 (c) Notwithstanding any other provision of this
17 chapter, if a licensee establishes his or her identity for a
18 driver's license using an identification document authorized
19 under s. 322.08(2)(c)5., or s. 322.08(2)(c)6., the licensee
20 may not renew the driver's license except in person and upon
21 submission of an identification document authorized under s.
22 322.08(2)(c)4.-6. A driver's license renewed under this
23 paragraph expires 4 years after the date of issuance or upon
24 the expiration date cited on the United States Department of
25 Justice documents, whichever date first occurs.

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

28 322.19 Change of address or name.--

29 (4) Notwithstanding any other provision of this
30 chapter, if a licensee established his or her identity for a
31 driver's license using an identification document authorized

1 under s. 322.08(2)(c)5.-6., the licensee may not change his or
2 her name or address except in person and upon submission of an
3 identification document authorized under s. 322.08(2)(c)4.-6.

4 Section 6. Subsection (1) of section 322.212, Florida
5 Statutes, is amended to read:

6 322.212 Unauthorized possession of, and other unlawful
7 acts in relation to, driver's license or identification
8 card.--

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

10 (a) Knowingly ~~to~~ have in his or her possession or to
11 display any blank, forged, stolen, fictitious, counterfeit, or
12 unlawfully issued driver's license or identification card or
13 any instrument in the similitude of a driver's license or
14 identification card unless possession by such person has been
15 duly authorized by the department;

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

21 (c) Knowingly ~~to~~ have in his or her possession any
22 instrument in the similitude of an identification card issued
23 by the department or its duly authorized agents or those of
24 any state or jurisdiction issuing identification cards
25 recognized in this state for the purpose of indicating a
26 person's true name and age; ~~or~~

27 (d) Knowingly sell, manufacture, or deliver, or
28 knowingly offer to sell, manufacture, or deliver, a blank,
29 forged, stolen, fictitious, counterfeit, or unlawfully issued
30 driver's license or identification card, or an instrument in
31 the similitude of a driver's license or identification card,

1 unless that person is authorized to do so by the department. A
 2 violation of this paragraph may be investigated by any law
 3 enforcement agency, including the Division of Alcoholic
 4 Beverages and Tobacco.

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 6 The term "driver's license" includes a driver's license issued
 7 by the department or its agents or a driver's license issued
 8 by any state or jurisdiction that issues licenses recognized
 9 in this state for the operation of a motor vehicle. The term
 10 "identification card" includes any identification card issued
 11 by the department or its agents or any identification card
 12 issued by any state or jurisdiction that issues identification
 13 cards recognized in this state for the purpose of indicating a
 14 person's true name and age. This subsection does not prohibit
 15 a person from possessing or displaying another person's
 16 driver's license or identification card for a lawful purpose.

17 Section 7. Paragraph (a) of subsection (3) of section
 18 921.0022, Florida Statutes, is amended to read:

19 921.0022 Criminal Punishment Code; offense severity
 20 ranking chart.--

21 (3) OFFENSE SEVERITY RANKING CHART

22

Florida	Felony	Description
Statute	Degree	
		(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.

1	212.15(2)(b)	3rd	Failure to remit sales taxes,
2			amount greater than \$300 but less
3			than \$20,000.
4	319.30(5)	3rd	Sell, exchange, give away
5			certificate of title or
6			identification number plate.
7	319.35(1)(a)	3rd	Tamper, adjust, change, etc., an
8			odometer.
9	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell
10			registration license plates or
11			validation stickers.
12	<u>322.212(1)(a)-(c)</u>		
13	322.212(1)	3rd	Possession of forged, stolen,
14			counterfeit, or unlawfully issued
15			driver's license; possession of
16			simulated identification.
17	322.212(4)	3rd	Supply or aid in supplying
18			unauthorized driver's license or
19			identification card.
20	322.212(5)(a)	3rd	False application for driver's
21			license or identification card.
22	370.13(3)(a)	3rd	Molest any stone crab trap, line,
23			or buoy which is property of
24			licenseholder.
25	370.135(1)	3rd	Molest any blue crab trap, line,
26			or buoy which is property of
27			licenseholder.
28	372.663(1)	3rd	Poach any alligator or
29			crocodilia.
30			
31			

1	414.39(2)	3rd	Unauthorized use, possession,
2			forgery, or alteration of food
3			stamps, Medicaid ID, value
4			greater than \$200.
5	414.39(3)(a)	3rd	Fraudulent misappropriation of
6			public assistance funds by
7			employee/official, value more
8			than \$200.
9	443.071(1)	3rd	False statement or representation
10			to obtain or increase
11			unemployment compensation
12			benefits.
13	509.151(1)	3rd	Defraud an innkeeper, food or
14			lodging value greater than \$300.
15	517.302(1)	3rd	Violation of the Florida
16			Securities and Investor
17			Protection Act.
18	562.27(1)	3rd	Possess still or still apparatus.
19	713.69	3rd	Tenant removes property upon
20			which lien has accrued, value
21			more than \$50.
22	812.014(3)(c)	3rd	Petit theft (3rd conviction);
23			theft of any property not
24			specified in subsection (2).
25	812.081(2)	3rd	Unlawfully makes or causes to be
26			made a reproduction of a trade
27			secret.
28	815.04(4)(a)	3rd	Offense against intellectual
29			property (i.e., computer
30			programs, data).
31			

1	817.52(2)	3rd	Hiring with intent to defraud,
2			motor vehicle services.
3	826.01	3rd	Bigamy.
4	828.122(3)	3rd	Fighting or baiting animals.
5	831.04(1)	3rd	Any erasure, alteration, etc., of
6			any replacement deed, map, plat,
7			or other document listed in s.
8			92.28.
9	831.31(1)(a)	3rd	Sell, deliver, or possess
10			counterfeit controlled
11			substances, all but s. 893.03(5)
12			drugs.
13	832.041(1)	3rd	Stopping payment with intent to
14			defraud \$150 or more.
15	832.05		
16	(2)(b)&(4)(c)	3rd	Knowing, making, issuing
17			worthless checks \$150 or more or
18			obtaining property in return for
19			worthless check \$150 or more.
20	838.015(3)	3rd	Bribery.
21	838.016(1)	3rd	Public servant receiving unlawful
22			compensation.
23	838.15(2)	3rd	Commercial bribe receiving.
24	838.16	3rd	Commercial bribery.
25	843.18	3rd	Fleeing by boat to elude a law
26			enforcement officer.
27	847.011(1)(a)	3rd	Sell, distribute, etc., obscene,
28			lewd, etc., material (2nd
29			conviction).
30	849.01	3rd	Keeping gambling house.
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1	849.09(1)(a)-(d)	3rd	Lottery; set up, promote, etc.,
2			or assist therein, conduct or
3			advertise drawing for prizes, or
4			dispose of property or money by
5			means of lottery.
6	849.23	3rd	Gambling-related machines;
7			"common offender" as to property
8			rights.
9	849.25(2)	3rd	Engaging in bookmaking.
10	860.08	3rd	Interfere with a railroad signal.
11	860.13(1)(a)	3rd	Operate aircraft while under the
12			influence.
13	893.13(2)(a)2.	3rd	Purchase of cannabis.
14	893.13(6)(a)	3rd	Possession of cannabis (more than
15			20 grams).
16	893.13(7)(a)10.	3rd	Affix false or forged label to
17			package of controlled substance.
18	934.03(1)(a)	3rd	Intercepts, or procures any other
19			person to intercept, any wire or
20			oral communication.

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

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