

By the Council for Ready Infrastructure and
Representatives Russell, Lynn, Flanagan and Kendrick

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; authorizing
12 investigations of violations of this section;
13 providing penalties; providing an effective
14 date.

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

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18 Section 1. Subsection (1) of section 322.212, Florida
19 Statutes, is amended to read:

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

23 (1) It is unlawful for any person:

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

30 (b) Knowingly to have in his or her possession any
31 instrument in the similitude of a driver's license issued by

1 the department or its duly authorized agents or those of any
2 state or jurisdiction issuing licenses recognized in this
3 state for the operation of a motor vehicle; ~~or~~

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

10 (d) Knowingly to sell, manufacture, or deliver, or
11 knowingly to offer to sell, manufacture, or deliver, any
12 blank, forged, stolen, fictitious, counterfeit, or unlawfully
13 issued driver's license or identification card or any
14 instrument in the similitude of a driver's license or
15 identification card unless such person has been duly
16 authorized by the department. Violations of this paragraph may
17 be investigated by law enforcement, including the Division of
18 Alcoholic Beverages and Tobacco.

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20 The term "driver's license" includes a driver's license issued
21 by the department or its agents or a driver's license issued
22 by any state or jurisdiction that issues licenses recognized
23 in this state for the operation of a motor vehicle. The term
24 "identification card" includes any identification card issued
25 by the department or its agents or any identification card
26 issued by any state or jurisdiction that issues identification
27 cards recognized in this state for the purpose of indicating a
28 person's true name and age. This subsection does not prohibit
29 a person from possessing or displaying another person's
30 driver's license or identification card for a lawful purpose.
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1 (6) Any person who violates any of the provisions of
2 this section is guilty of a felony of the third degree,
3 punishable as provided in s. 775.082, s. 775.083, or s.
4 775.084. However, any person who violates paragraph (5)(a) by
5 giving a false age in any application for a driver's license
6 or identification card or who violates paragraph (5)(b) by
7 possessing a driver's license, identification card, or any
8 instrument in the similitude thereof, on which the date of
9 birth has been altered is guilty of a misdemeanor of the
10 second degree, punishable as provided in s. 775.082 or s.
11 775.083.

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