

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 section 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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