

By Senator Constantine

22-42A-03

1 A bill to be entitled
2 An act relating to the issuance of drivers'
3 licenses; amending s. 322.01, F.S.; defining
4 the term "county tax collector" to mean an
5 authorized agent of the Department of Highway
6 Safety and Motor Vehicles; defining the term
7 "exclusive agent county tax collector";
8 amending ss. 322.03, 322.05, F.S., relating to
9 the issuance of drivers' licenses; authorizing
10 the county tax collector to issue drivers'
11 licenses; prohibiting the county tax collector
12 from issuing licenses to certain persons;
13 amending s. 322.051, F.S.; authorizing the
14 county tax collector to issue identification
15 cards; providing for the tax collector to
16 retain the fee; amending s. 322.059, F.S.;
17 providing for a driver's license to be
18 surrendered to the county tax collector;
19 amending ss. 322.07, 322.09, F.S.; authorizing
20 the county tax collector to issue instruction
21 permits and temporary licenses; amending s.
22 322.091, F.S., relating to requirements for
23 school attendance; conforming provisions to
24 changes made by the act; amending s. 322.12,
25 F.S.; authorizing the county tax collector to
26 perform driver's license examinations;
27 providing for the tax collector to retain a
28 portion of the fee; amending ss. 322.121,
29 322.13, 322.14, F.S., relating to
30 reexaminations and examiners; conforming
31 provisions to changes made by the act; amending

1 ss. 322.141, 322.142, 322.161, 322.1615, F.S.,
2 relating to the color and types of licenses;
3 conforming provisions to changes made by the
4 act; amending s. 322.17, F.S.; authorizing the
5 county tax collector to issue duplicate and
6 replacement licenses and change-of-address
7 stickers; providing for the tax collector to
8 retain a portion of the fee; amending s.
9 322.18, F.S., relating to license applications
10 and expiration of licenses; conforming
11 provisions to changes made by the act; amending
12 s. 322.20, F.S.; requiring the county tax
13 collector to maintain certain records; amending
14 s. 322.21, F.S.; requiring that the county tax
15 collector provide personnel to perform the
16 duties specified under the act; providing for
17 the county tax collector to retain a portion of
18 certain fees; amending s. 322.221, F.S.;
19 authorizing the county tax collector to require
20 reexamination of a licensed driver; amending s.
21 322.251, F.S.; providing for a cancelled,
22 suspended, or revoked driver's license to be
23 surrendered to the county tax collector;
24 amending s. 322.282, F.S.; providing for the
25 county tax collector to issue a temporary
26 driver's permit under certain circumstances;
27 amending s. 322.32, F.S., relating to penalties
28 imposed for failure to surrender a driver's
29 license; conforming provisions to changes made
30 by the act; providing an effective date.
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1 Be It Enacted by the Legislature of the State of Florida:

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3 Section 1. Present subsections (11) through (17) of
4 section 322.01, Florida Statutes, are redesignated as
5 subsections (12) through (18), respectively, and new
6 subsections (11) and (19) are added to that section, and
7 present subsections (18) through (42) of that section are
8 redesignated as subsections (20) through (44), respectively,
9 to read:

10 322.01 Definitions.--As used in this chapter:

11 (11) "County tax collector" means the county tax
12 collectors of this state performing as:

13 (a) Authorized by contract; or

14 (b) Exclusive agents of the department.

15 (19) "Exclusive Agent County Tax Collectors" means the
16 county tax collectors for Bradford, Escambia, Lake, Manatee,
17 and Pinellas counties.

18 Section 2. Subsection (2) and paragraph (a) of
19 subsection (3) of section 322.03, Florida Statutes, are
20 amended to read:

21 322.03 Drivers must be licensed; penalties.--

22 (2) Prior to issuing a driver's license, the
23 department or an authorized or exclusive agent county tax
24 collector shall require any person who has been convicted two
25 or more times of a violation of s. 316.193 or of a
26 substantially similar alcohol-related or drug-related offense
27 outside this state within the preceding 5 years, or who has
28 been convicted of three or more such offenses within the
29 preceding 10 years, to present proof of successful completion
30 of or enrollment in a department-approved substance abuse
31 education course. If the person fails to complete such

1 education course within 90 days after issuance, the department
2 shall cancel the license. Further, prior to issuing the
3 driver's license the department or county tax collector shall
4 require such person to present proof of financial
5 responsibility as provided in s. 324.031. For the purposes of
6 this paragraph, a previous conviction for violation of former
7 s. 316.028, former s. 316.1931, or former s. 860.01 shall be
8 considered a previous conviction for violation of s. 316.193.

9 (3)(a) The department or an authorized or exclusive
10 agent county tax collector may not issue a commercial driver's
11 license to any person who is not a resident of this state.

12 Section 3. Section 322.05, Florida Statutes, is
13 amended to read:

14 322.05 Persons not to be licensed.--The department or
15 an authorized or exclusive agent county tax collector may not
16 issue a license:

17 (1) To a person who is under the age of 16 years,
18 except that the department or an authorized or exclusive agent
19 county tax collector may issue a learner's driver's license to
20 a person who is at least 15 years of age and who meets the
21 requirements of ss. 322.091 and 322.1615 and of any other
22 applicable law or rule.

23 (2) To a person who is at least 16 years of age but is
24 under 18 years of age unless the person meets the requirements
25 of s. 322.091 and holds a valid:

26 (a) Learner's driver's license for at least 12 months,
27 with no traffic convictions, before applying for a license;

28 (b) Learner's driver's license for at least 12 months
29 and who has a traffic conviction but elects to attend a
30 traffic driving school for which adjudication must be withheld
31 pursuant to s. 318.14; or

1 (c) License that was issued in another state or in a
2 foreign jurisdiction and that would not be subject to
3 suspension or revocation under the laws of this state.

4 (3) To a person who is at least 16 years of age but
5 who is under 18 years of age, unless the parent, guardian, or
6 other responsible adult meeting the requirements of s. 322.09
7 certifies that he or she, or another licensed driver 21 years
8 of age or older, has accompanied the applicant for a total of
9 not less than 50 hours' behind-the-wheel experience, of which
10 not less than 10 hours must be at night. This subsection is
11 not intended to create a private cause of action as a result
12 of the certification. The certification is inadmissible for
13 any purpose in any civil proceeding.

14 (4) Except as provided by this subsection, to any
15 person, as a Class A licensee, Class B licensee, Class C
16 licensee, or Class D licensee, who is under the age of 18
17 years. A person age 16 or 17 years who applies for a Class D
18 driver's license is subject to all the requirements and
19 provisions of paragraphs (2)(a) and (b) and ss. 322.09 and
20 322.16(2) and (3). The department may require of any such
21 applicant for a Class D driver's license such examination of
22 the qualifications of the applicant as the department
23 considers proper, and the department may limit the use of any
24 license granted as it considers proper.

25 (5) To any person whose license has been suspended,
26 during such suspension, nor to any person whose license has
27 been revoked, until the expiration of the period of revocation
28 imposed under the provisions of this chapter.

29 (6) To any person, as a commercial motor vehicle
30 operator, whose privilege to operate a commercial motor
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1 vehicle has been disqualified, until the expiration of the
2 period of disqualification.

3 (7) To any person who is an habitual drunkard, or is
4 an habitual user of narcotic drugs, or is an habitual user of
5 any other drug to a degree which renders him or her incapable
6 of safely driving a motor vehicle.

7 (8) To any person who has been adjudged to be
8 afflicted with or suffering from any mental disability or
9 disease and who has not at the time of application been
10 restored to competency by the methods provided by law.

11 (9) To any person who is required by this chapter to
12 take an examination, unless such person shall have
13 successfully passed such examination.

14 (10) To any person, when the department has good cause
15 to believe that the operation of a motor vehicle on the
16 highways by such person would be detrimental to public safety
17 or welfare. Deafness alone shall not prevent the person
18 afflicted from being issued a Class D or Class E driver's
19 license.

20 (11) To any person who is ineligible under s. 322.056.
21 Section 4. Subsections (1), (2), (3), and (4) of
22 section 322.051, Florida Statutes, are amended to read:

23 322.051 Identification cards.--

24 (1) Any person who is 12 years of age or older, or any
25 person who has a disability, regardless of age, who applies
26 for a disabled parking permit under s. 320.0848~~7~~ may be issued
27 an identification card by the department or by an authorized
28 or exclusive agent county tax collector upon completion of an
29 application and payment of an application fee.

30 (a) Each such application shall include the following
31 information regarding the applicant:

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

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

5 3. Proof of identity satisfactory to the department.

6 Such proof must include one of the following documents issued
7 to the applicant:

8 a. A driver's license record or identification card
9 record from another jurisdiction that required the applicant
10 to submit a document for identification which is substantially
11 similar to a document required under sub-subparagraph b.,
12 sub-subparagraph c., sub-subparagraph d., sub-subparagraph e.,
13 or sub-subparagraph f.;

14 b. A certified copy of a United States birth
15 certificate;

16 c. A valid United States passport;

17 d. An alien registration receipt card (green card);

18 e. An employment authorization card issued by the
19 United States Department of Justice; or

20 f. Proof of nonimmigrant classification provided by
21 the United States Department of Justice, for an original
22 identification card. In order to prove such nonimmigrant
23 classification, applicants may produce but are not limited to
24 the following documents:

25 (I) A notice of hearing from an immigration court
26 scheduling a hearing on any proceeding.

27 (II) A notice from the Board of Immigration Appeals
28 acknowledging pendency of an appeal.

29 (III) Notice of the approval of an application for
30 adjustment of status issued by the United States Immigration
31 and Naturalization Service.

1 (IV) Any official documentation confirming the filing
2 of a petition for asylum status or any other relief issued by
3 the United States Immigration and Naturalization Service.

4 (V) Notice of action transferring any pending matter
5 from another jurisdiction to Florida, issued by the United
6 States Immigration and Naturalization Service.

7 (VI) Order of an immigration judge or immigration
8 officer granting any relief that authorizes the alien to live
9 and work in the United States including, but not limited to
10 asylum.

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12 Presentation of any of the foregoing documents shall entitle
13 the applicant to a driver's license or temporary permit for a
14 period not to exceed the expiration date of the document
15 presented or 2 years, whichever first occurs.

16 (b) An application for an identification card must be
17 signed and verified by the applicant in a format designated by
18 the department before a person authorized to administer oaths.
19 The fee for an identification card is \$3, including payment
20 for the color photograph or digital image of the applicant. An
21 exclusive agent county tax collector shall retain the \$3 as
22 reimbursement for the cost of providing the identification
23 card.

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

26 (2)(a) Every identification card shall expire, unless
27 canceled earlier, on the fourth birthday of the applicant
28 following the date of original issue. However, if an
29 individual is 60 years of age or older, and has an
30 identification card issued under this section, the card shall
31 not expire unless done so by cancellation by the department or

1 by the death of the cardholder. Renewal of any identification
2 card shall be made for a term which shall expire on the fourth
3 birthday of the applicant following expiration of the
4 identification card renewed, unless surrendered earlier. Any
5 application for renewal received later than 90 days after
6 expiration of the identification card shall be considered the
7 same as an application for an original identification card.
8 The renewal fee for an identification card shall be \$3. An
9 exclusive agent county tax collector shall retain the \$3 as
10 reimbursement for the cost of providing the identification
11 card.The department shall, at the end of 4 years and 6 months
12 after the issuance or renewal of an identification card,
13 destroy any record of the card if it has expired and has not
14 been renewed, unless the cardholder is 60 years of age or
15 older.

16 (b) Notwithstanding any other provision of this
17 chapter, if an applicant establishes his or her identity for
18 an identification card using a document authorized under
19 sub-subparagraph (a)3.d., the identification card shall expire
20 on the fourth birthday of the applicant following the date of
21 original issue or upon first renewal or duplicate issued after
22 implementation of this section. 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 (c) Notwithstanding any other provisions of this
26 chapter, if an applicant establishes his or her identity for
27 an identification card using an identification document
28 authorized under sub-subparagraphs (a)3.e.-f., the
29 identification card shall expire 4 years after the date of
30 issuance or upon the expiration date cited on the United
31 States Department of Justice documents, whichever date first

1 occurs, and may not be renewed or obtain a duplicate except in
2 person.

3 (3) In the event an identification card issued under
4 this section is lost, destroyed, or mutilated or a new name is
5 acquired, the person to whom it was issued may obtain a
6 duplicate upon furnishing satisfactory proof of such fact to
7 the department or an authorized or exclusive agent county tax
8 collector and upon payment of a fee of \$2.50 for such
9 duplicate, which shall include payment for the color
10 photograph or digital image of the applicant. The department
11 or an exclusive agent tax collector shall retain the \$2.50 as
12 reimbursement for the cost of providing the duplicate card.

13 Any person who loses an identification card and who, after
14 obtaining a duplicate, finds the original card shall
15 immediately surrender the original card to the department or
16 an authorized or exclusive agent county tax collector. The
17 same documentary evidence shall be furnished for a duplicate
18 as for an original identification card.

19 (4) When used with reference to identification cards,
20 "cancellation" means that an identification card is terminated
21 without prejudice and must be surrendered. Cancellation of the
22 card may be made when a card has been issued through error or
23 when voluntarily surrendered to the department or an
24 authorized or exclusive agent county tax collector.

25 Section 5. Section 322.059, Florida Statutes, is
26 amended to read:

27 322.059 Mandatory surrender of suspended driver's
28 license and registration.--Any person whose driver's license
29 or registration has been suspended as provided in s. 322.058
30 must immediately return his or her driver's license and
31 registration to the Department of Highway Safety and Motor

1 Vehicles or an authorized or exclusive agent county tax
2 collector. If such person fails to return his or her driver's
3 license or registration, any law enforcement agent may seize
4 the license or registration while the driver's license or
5 registration is suspended.

6 Section 6. Section 322.07, Florida Statutes, is
7 amended to read:

8 322.07 Instruction permits and temporary licenses.--

9 (1) Any person who is at least 18 years of age and
10 who, except for his or her lack of instruction in operating a
11 motor vehicle, would otherwise be qualified to obtain a Class
12 E driver's license under this chapter, may apply for a
13 temporary instruction permit. The department or an authorized
14 or exclusive agent county tax collector shall issue such a
15 permit entitling the applicant, while having the permit in his
16 or her immediate possession, to drive a motor vehicle of the
17 type for which a Class E driver's license is required upon the
18 highways for a period of 90 days, but, except when operating a
19 motorcycle or moped as defined in s. 316.003, the person must
20 be accompanied by a licensed driver who is 21 years of age or
21 older, who is licensed to operate the class of vehicle being
22 operated, and who is actually occupying the closest seat to
23 the right of the driver.

24 (2) The department or an authorized or exclusive agent
25 county tax collector may, ~~in its discretion,~~ issue a temporary
26 permit to an applicant for a Class D or Class E driver's
27 license permitting him or her to operate a motor vehicle of
28 the type for which a Class D or Class E driver's license is
29 required while the department is completing its investigation
30 and determination of all facts relative to such applicant's
31 right to receive a driver's license. Such permit must be in

1 his or her immediate possession while operating a motor
2 vehicle, and it shall be invalid when the applicant's license
3 has been issued or for good cause has been refused.

4 (3) Any person who, except for his or her lack of
5 instruction in operating a Class D or commercial motor
6 vehicle, would otherwise be qualified to obtain a Class D or
7 commercial driver's license under this chapter, may apply for
8 a temporary Class D or temporary commercial instruction
9 permit. The department or an authorized or exclusive agent
10 county tax collector shall issue such a permit entitling the
11 applicant, while having the permit in his or her immediate
12 possession, to drive a Class D or commercial motor vehicle on
13 the highways, provided that:

14 (a) The applicant possesses a valid driver's license
15 issued in any state; and

16 (b) The applicant, while operating a Class D or
17 commercial motor vehicle, is accompanied by a licensed driver
18 who is 21 years of age or older, who is licensed to operate
19 the class of vehicle being operated, and who is actually
20 occupying the closest seat to the right of the driver.

21 Section 7. Subsection (3) of section 322.09, Florida
22 Statutes, is amended to read:

23 322.09 Application of minors.--

24 (3) The department or an authorized or exclusive agent
25 county tax collector may not issue a driver's license or
26 learner's driver's license to any applicant under the age of
27 18 years who is not in compliance with the requirements of s.
28 322.091.

29 Section 8. Subsection (1), paragraph (e) of subsection
30 (2), and subsection (4) of section 322.091, Florida Statutes,
31 are amended to read:

1 322.091 Attendance requirements.--

2 (1) ELIGIBILITY REQUIREMENTS FOR DRIVING
3 PRIVILEGES.--A minor is not eligible for driving privileges
4 unless that minor:

5 (a) Is enrolled in a public school, nonpublic school,
6 or home education program and satisfies relevant attendance
7 requirements;

8 (b) Has received a high school diploma, a high school
9 equivalency diploma, a special diploma, or a certificate of
10 high school completion;

11 (c) Is enrolled in a study course in preparation for
12 the Test of General Educational Development and satisfies
13 relevant attendance requirements;

14 (d) Is enrolled in other educational activities
15 approved by the district school board and satisfies relevant
16 attendance requirements;

17 (e) Has been issued a certificate of exemption
18 according to s. 1003.21(3); or

19 (f) Has received a hardship waiver under this section.
20

21 The department or an authorized or exclusive agent county tax
22 collector may not issue a driver's license or learner's
23 driver's license to, nor ~~or~~ shall the department suspend the
24 driver's license or learner's driver's license of, any minor
25 concerning whom the department receives notification of
26 noncompliance with the requirements of this section.

27 (2) NOTIFICATION OF INTENT TO SUSPEND; SUSPENSION;
28 RECORD OF NONCOMPLIANCE.--

29 (e) The department or an authorized or exclusive agent
30 county tax collector may not issue a driver's license or
31 learner's driver's license to any minor for whom it has a

1 record of noncompliance with the requirements of subsection
2 (1) unless the minor submits verification of compliance
3 pursuant to subsection (4).

4 (4) VERIFICATION OF COMPLIANCE AND REINSTATEMENT.--A
5 district school board shall provide a minor with written
6 verification that he or she is in compliance with the
7 requirements of subsection (1) if the district determines that
8 he or she has been in compliance for 30 days prior to the
9 request for verification of compliance. Upon receiving
10 written verification that the minor is again in compliance
11 with the requirements of subsection (1), the department or an
12 authorized or exclusive agent county tax collector shall
13 reinstate the minor's driving privilege. Thereafter, if the
14 school district determines that the minor is not in compliance
15 with the requirements of subsection (1), the department shall
16 suspend the minor's driving privilege until the minor is 18
17 years of age or otherwise satisfies the requirements of
18 subsection (1), whichever occurs first.

19 Section 9. Section 322.12, Florida Statutes, is
20 amended to read:

21 322.12 Examination of applicants.--

22 (1) It is the intent of the Legislature that every
23 applicant for an original driver's license in this state be
24 required to pass an examination pursuant to this section.
25 However, the department or an authorized or exclusive agent
26 county tax collector may waive the knowledge, endorsement, and
27 skills tests for an applicant who is otherwise qualified and
28 who surrenders a valid driver's license from another state or
29 a province of Canada, or a valid driver's license issued by
30 the United States Armed Forces, if the driver applies for a
31 Florida license of an equal or lesser classification. A person

1 who seeks to retain a hazardous-materials endorsement,
2 pursuant to s. 322.57(1)(d), must pass the hazardous-materials
3 test, upon surrendering his or her commercial driver's
4 license, if the person has not taken and passed the
5 hazardous-materials test within 2 years preceding his or her
6 application for a commercial driver's license in this state.

7 (2) The department or an authorized or exclusive agent
8 county tax collector shall examine every applicant for a
9 driver's license, including an applicant who is licensed in
10 another state or country, except as otherwise provided in this
11 chapter. A person who holds a learner's driver's license as
12 provided for in s. 322.1615 is not required to pay a fee for
13 successfully completing the examination showing his or her
14 ability to operate a motor vehicle as provided for herein and
15 need not pay the fee for a replacement license as provided in
16 s. 322.17(2). Any person who applies for reinstatement
17 following the suspension or revocation of his or her driver's
18 license shall pay a service fee of \$25 following a suspension,
19 and \$50 following a revocation, which is in addition to the
20 fee for a license. Any person who applies for reinstatement of
21 a commercial driver's license following the disqualification
22 of his or her privilege to operate a commercial motor vehicle
23 shall pay a service fee of \$50, which is in addition to the
24 fee for a license. The department or an authorized or
25 exclusive agent county tax collector shall collect all of
26 these fees at the time of reinstatement, of which \$11 shall be
27 retained as a service fee if the reinstated license is
28 provided by an exclusive agent county tax collector. The
29 department or an authorized or exclusive agent county tax
30 collector shall issue proper receipts for such fees and shall
31 promptly transmit all funds received by it as follows:

1 (a) Of the \$25 fee received from a licensee for
2 reinstatement following a suspension, if issued by the
3 department, ~~shall deposit~~ \$15 shall be deposited in the
4 General Revenue Fund and the remaining \$10 shall be deposited
5 in the Highway Safety Operating Trust Fund. If an exclusive
6 agent county tax collector reinstates the license, the tax
7 collector shall forward the \$25 fee to the department, \$4 of
8 which shall be deposited into the General Revenue Fund and \$10
9 of which shall be deposited into the Highway Safety Operating
10 Trust Fund, and the tax collector shall retain \$11 as a
11 service fee.

12 (b) Of the \$50 fee received from a licensee for
13 reinstatement following a revocation or disqualification, if
14 issued by the department, ~~shall deposit~~ \$35 shall be deposited
15 in the General Revenue Fund and the remaining \$15 shall be
16 deposited in the Highway Safety Operating Trust Fund. If an
17 exclusive agent county tax collector reinstates the license,
18 the tax collector shall forward the \$50 fee to the department,
19 \$24 of which shall be deposited into the General Revenue Fund
20 and \$15 of which shall be deposited into the Highway Safety
21 Operating Trust Fund, and the tax collector shall retain \$11
22 as a service fee.

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24 If the revocation or suspension of the driver's license was
25 for a violation of s. 316.193, or for refusal to submit to a
26 lawful breath, blood, or urine test, an additional fee of \$105
27 must be charged. However, only one such \$105 fee is to be
28 collected from one person convicted of such violations arising
29 out of the same incident. The department or an authorized or
30 exclusive agent county tax collector shall collect the \$105
31 fee and deposit it into the Highway Safety Operating Trust

1 Fund at the time of reinstatement of the person's driver's
2 license, but the fee must not be collected if the suspension
3 or revocation was overturned.

4 (3) For an applicant for a Class D or a Class E
5 driver's license, such examination shall include a test of the
6 applicant's eyesight given by the driver's license examiner
7 designated by the department or an authorized or exclusive
8 agent county tax collector or by a licensed ophthalmologist,
9 optometrist, or physician and a test of the applicant's
10 hearing given by a driver's license examiner or a licensed
11 physician. The examination shall also include a test of the
12 applicant's ability to read and understand highway signs
13 regulating, warning, and directing traffic; his or her
14 knowledge of the traffic laws of this state, including laws
15 regulating driving under the influence of alcohol or
16 controlled substances, driving with an unlawful blood-alcohol
17 level, and driving while intoxicated; and his or her knowledge
18 of the effects of alcohol and controlled substances upon
19 persons and the dangers of driving a motor vehicle while under
20 the influence of alcohol or controlled substances and shall
21 include an actual demonstration of ability to exercise
22 ordinary and reasonable control in the operation of a motor
23 vehicle.

24 (4) The examination for an applicant for a commercial
25 driver's license shall include a test of the applicant's
26 eyesight given by a driver's license examiner designated by
27 the department or an authorized or exclusive agent county tax
28 collector or by a licensed ophthalmologist, optometrist, or
29 physician and a test of the applicant's hearing given by a
30 driver's license examiner or a licensed physician. The
31 examination shall also include a test of the applicant's

1 ability to read and understand highway signs regulating,
2 warning, and directing traffic; his or her knowledge of the
3 traffic laws of this state pertaining to the class of motor
4 vehicle which he or she is applying to be licensed to operate,
5 including laws regulating driving under the influence of
6 alcohol or controlled substances, driving with an unlawful
7 blood-alcohol level, and driving while intoxicated; his or her
8 knowledge of the effects of alcohol and controlled substances
9 and the dangers of driving a motor vehicle after having
10 consumed alcohol or controlled substances; and his or her
11 knowledge of any special skills, requirements, or precautions
12 necessary for the safe operation of the class of vehicle which
13 he or she is applying to be licensed to operate. In addition,
14 the examination shall include an actual demonstration of the
15 applicant's ability to exercise ordinary and reasonable
16 control in the safe operation of a motor vehicle or
17 combination of vehicles of the type covered by the license
18 classification which the applicant is seeking, including an
19 examination of the applicant's ability to perform an
20 inspection of his or her vehicle.

21 (a) The portion of the examination which tests an
22 applicant's safe driving ability shall be administered by the
23 department or by an entity authorized by the department to
24 administer such examination, pursuant to s. 322.56. Such
25 examination shall be administered at a location approved by
26 the department.

27 (b) A person who seeks to retain a hazardous-materials
28 endorsement must, upon renewal, pass the test for such
29 endorsement as specified in s. 322.57(1)(d), if the person has
30 not taken and passed the hazardous-materials test within 2
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1 years preceding his or her application for a commercial
2 driver's license in this state.

3 (5)(a) The department shall formulate a separate
4 examination for applicants for licenses to operate
5 motorcycles. Any applicant for a driver's license who wishes
6 to operate a motorcycle, and who is otherwise qualified, must
7 successfully complete such an examination, which is in
8 addition to the examination administered under subsection (3).
9 The examination must test the applicant's knowledge of the
10 operation of a motorcycle and of any traffic laws specifically
11 relating thereto and must include an actual demonstration of
12 his or her ability to exercise ordinary and reasonable control
13 in the operation of a motorcycle. In the formulation of the
14 examination, the department shall consider the use of the
15 Motorcycle Operator Skills Test and the Motorcycle in Traffic
16 Test offered by the Motorcycle Safety Foundation. The
17 department or an authorized or exclusive agent county tax
18 collector shall indicate on the license of any person who
19 successfully completes the examination that the licensee is
20 authorized to operate a motorcycle. If the applicant wishes
21 to be licensed to operate a motorcycle only, he or she need
22 not take the skill or road test required under subsection (3)
23 for the operation of a motor vehicle, and the department or an
24 authorized or exclusive agent county tax collector shall
25 indicate such a limitation on his or her license as a
26 restriction. Every first-time applicant for licensure to
27 operate a motorcycle who is under 21 years of age must provide
28 proof of completion of a motorcycle safety course, as provided
29 for in s. 322.0255, before the applicant may be licensed to
30 operate a motorcycle.

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1 (b) The department or an authorized or exclusive agent
2 county tax collector may exempt any applicant from the
3 examination provided in this subsection if the applicant
4 presents a certificate showing successful completion of a
5 course approved by the department, which course includes a
6 similar examination of the knowledge and skill of the
7 applicant in the operation of a motorcycle.

8 Section 10. Subsection (3) of section 322.121, Florida
9 Statutes, is amended to read:

10 322.121 Periodic reexamination of all drivers.--

11 (3) For each licensee whose driving record does not
12 show any revocations, disqualifications, or suspensions for
13 the preceding 7 years or any convictions for the preceding 3
14 years except for convictions of the following nonmoving
15 violations:

16 (a) Failure to exhibit a vehicle registration
17 certificate, rental agreement, or cab card pursuant to s.
18 320.0605;

19 (b) Failure to renew a motor vehicle or mobile home
20 registration that has been expired for 4 months or less
21 pursuant to s. 320.07(3)(a);

22 (c) Operating a motor vehicle with an expired license
23 that has been expired for 4 months or less pursuant to s.
24 322.065;

25 (d) Failure to carry or exhibit a license pursuant to
26 s. 322.15(1); or

27 (e) Failure to notify the department or an authorized
28 or exclusive agent county tax collector of a change of address
29 or name within 10 days pursuant to s. 322.19,
30
31

1 the department or an authorized or exclusive agent county tax
2 collector shall cause such licensee's license to be
3 prominently marked with the notation "Safe Driver."

4 Section 11. Section 322.13, Florida Statutes, is
5 amended to read:

6 322.13 Driver's license examiners.--

7 (1)(a) The department or an authorized or exclusive
8 agent county tax collector shall designate employees or other
9 persons to serve as driver's license examiners who, upon
10 accepting such designation, shall conduct examinations
11 hereunder, perform other assigned duties, and make factual
12 reports of findings and recommendations to the department or
13 county tax collector ~~as it may require~~. In the course of his
14 or her duties, an examiner ~~may is authorized to~~ administer
15 oaths or have persons affirm as to the truth of statements
16 filed before him or her.

17 (b) Those persons serving as driver's license
18 examiners are not liable for actions taken within the scope of
19 their employment or designation, except as provided by s.
20 768.28.

21 (2) The department or an authorized or exclusive agent
22 county tax collector shall further designate employees or
23 other persons to serve as driver's license examiners to
24 enforce all driver's license laws; suspension, revocation, and
25 cancellation orders; and laws relating to the registration of
26 motor vehicles entered in compliance with the provisions of
27 this chapter and chapters 320, 324, and 488. Upon designation,
28 certain examiners shall be empowered to issue uniform traffic
29 citations to persons found in violation of such chapters. Any
30 person who fails or refuses to surrender his or her driver's
31 license, registration certificate, and license plate upon

1 lawful demand of an examiner is guilty of a misdemeanor of the
2 second degree, punishable as provided in s. 775.082 or s.
3 775.083. Persons designated as examiners by the department or
4 county tax collector shall not be considered for membership in
5 the state high-risk retirement program.

6 Section 12. Paragraph (a) of subsection (1) of section
7 322.14, Florida Statutes, is amended to read:

8 322.14 Licenses issued to drivers.--

9 (1)(a) The department or an authorized or exclusive
10 agent county tax collector shall, upon successful completion
11 of all required examinations and payment of the required fee,
12 issue to every applicant qualifying therefor, a driver's
13 license as applied for, which license shall bear thereon a
14 color photograph or digital image of the licensee; the name of
15 the state; a distinguishing number assigned to the licensee;
16 and the licensee's full name, date of birth, and mailing
17 address; a brief description of the licensee, including, but
18 not limited to, the licensee's gender and height; and the
19 dates of issuance and expiration of the license. A space shall
20 be provided upon which the licensee shall affix his or her
21 usual signature. No license shall be valid until it has been
22 so signed by the licensee except that the signature of said
23 licensee shall not be required if it appears thereon in
24 facsimile or if the licensee is not present within the state
25 at the time of issuance. Applicants qualifying to receive a
26 Class A, Class B, or Class C driver's license must appear in
27 person within the state for issuance of a color photographic
28 or digital imaged driver's license pursuant to s. 322.142.

29 Section 13. Section 322.141, Florida Statutes, is
30 amended to read:

31 322.141 Color of licenses.--

1 (1) All licenses originally issued or reissued by the
2 department or an authorized or exclusive agent county tax
3 collector to persons under the age of 21 years for the
4 operation of motor vehicles shall have markings or color which
5 shall be obviously separate and distinct from all other
6 licenses issued by the department or county tax collector for
7 the operation of motor vehicles.

8 (2)(a) All licenses for the operation of motor
9 vehicles originally issued or reissued by the department or an
10 authorized or exclusive agent county tax collector to persons
11 who have insulin-dependent diabetes may, at the request of the
12 applicant, have distinctive markings separate and distinct
13 from all other licenses issued by the department or county tax
14 collector.

15 (b) At the time of application for original license or
16 reissue, the department or an authorized or exclusive agent
17 county tax collector shall require such proof as it deems
18 appropriate that a person has insulin-dependent diabetes.

19 Section 14. Subsections (1) and (2) of section
20 322.142, Florida Statutes, are amended to read:

21 322.142 Color photographic or digital imaged
22 licenses.--

23 (1) The department or an authorized or exclusive agent
24 county tax collector shall, upon receipt of the required fee,
25 issue to each qualified applicant for an original driver's
26 license a color photographic or digital imaged driver's
27 license bearing a fullface photograph or digital image of the
28 licensee. A space shall be provided upon which the licensee
29 shall affix his or her usual signature, as required in s.
30 322.14, in the presence of an authorized agent of the
31

1 department or county tax collector so as to ensure that such
2 signature becomes a part of the license.

3 (2) The department or an authorized or exclusive agent
4 county tax collector shall, upon receipt of the required fee,
5 issue to each qualified licensee applying for a renewal
6 license in accordance with s. 322.18 a color photographic or
7 digital imaged license as provided for in subsection (1).

8 Section 15. Paragraphs (b) and (c) of subsection (1)
9 of section 322.161, Florida Statutes, are amended to read:

10 322.161 High-risk drivers; restricted licenses.--

11 (1)

12 (b) Upon determination that any person has accumulated
13 six or more points, the department shall notify the licensee
14 and issue the licensee a restricted license for business
15 purposes only. The licensee must appear before the department
16 or an authorized or exclusive agent county tax collector
17 within 10 days after notification to have this restriction
18 applied. The period of restriction shall be for a period of no
19 less than 1 year beginning on the date it is applied by the
20 department or county tax collector.

21 (c) The restriction shall be automatically withdrawn
22 by the department after 1 year if the licensee does not
23 accumulate any additional points. If the licensee accumulates
24 any additional points, then the period of restriction shall be
25 extended 90 days for each point. The restriction shall also be
26 automatically withdrawn upon the licensee's 18th birthday if
27 no other grounds for restriction exist. The licensee must
28 appear before the department or an authorized or exclusive
29 agent county tax collector to have the restriction removed and
30 a duplicate license issued.

31

1 Section 16. Subsection (1) of section 322.1615,
2 Florida Statutes, is amended to read:

3 322.1615 Learner's driver's license.--

4 (1) The department or an authorized or exclusive agent
5 county tax collector may issue a learner's driver's license to
6 a person who is at least 15 years of age and who:

7 (a) Has passed the written examination for a learner's
8 driver's license;

9 (b) Has passed the vision and hearing examination
10 administered under s. 322.12;

11 (c) Has completed the traffic law and substance abuse
12 education course prescribed in s. 322.095; and

13 (d) Meets all other requirements set forth in law and
14 by rule of the department.

15 Section 17. Section 322.17, Florida Statutes, is
16 amended to read:

17 322.17 Duplicate and replacement certificates.--

18 (1)(a) In the event that an instruction permit or
19 driver's license issued under the provisions of this chapter
20 is lost or destroyed, the person to whom the same was issued
21 may, upon payment of \$10, obtain a duplicate, or substitute
22 thereof, upon furnishing proof satisfactory to the department
23 or an authorized or exclusive agent county tax collector that
24 such permit or license has been lost or destroyed, and further
25 furnishing the full name, date of birth, sex, residence and
26 mailing address, proof of birth satisfactory to the department
27 or county tax collector, and proof of identity satisfactory to
28 the department. Five dollars of the fee levied in this
29 paragraph shall go to the Highway Safety Operating Trust Fund
30 and \$5 shall go to the General Revenue Fund when the duplicate
31 or substitute is issued by ~~of~~ the department. If the permit or

1 license is reissued by an exclusive agent county tax
2 collector, the tax collector shall retain \$5 as a service fee,
3 and \$5 shall go to the Highway Safety Operating Trust Fund.

4 (b) If ~~in the event that~~ an instruction permit or
5 driver's license issued under the provisions of this chapter
6 is stolen, the person to whom the same was issued may, at no
7 charge, obtain a duplicate, or substitute thereof, upon
8 furnishing proof satisfactory to the department or an
9 authorized or exclusive agent county tax collector that such
10 permit or license was stolen and further furnishing the full
11 name, date of birth, sex, residence and mailing address, proof
12 of birth satisfactory to the department, and proof of identity
13 satisfactory to the department or county tax collector.

14 (2) Upon the surrender of the original license and the
15 payment of a \$10 replacement fee, the department or an
16 authorized or exclusive agent county tax collector shall issue
17 a replacement license to make a change in name, address, or
18 restrictions. If the department replaces the license, \$5 of
19 the fee shall be deposited into the Highway Safety Operating
20 Trust Fund and \$5 shall be deposited into the General Revenue
21 Fund. If an exclusive agent county tax collector replaces the
22 license, the tax collector shall forward \$5 of the \$10 fee to
23 the department for deposit into the Highway Safety Operating
24 Trust Fund and shall retain \$5 as reimbursement for the cost
25 of replacing the license.

26 (3) Upon written request by the licensee and
27 notification of a change in address, and the payment of a \$10
28 fee, the department or an authorized or exclusive agent county
29 tax collector shall issue an address sticker that ~~which~~ shall
30 be affixed to the back of the license by the licensee or issue
31 a replacement license to the licensee. If the department

1 issues the address sticker, the \$10 fee shall be deposited
2 into the Highway Safety Operating Trust Fund. If an exclusive
3 agent county tax collector issues a replacement license, the
4 tax collector shall forward \$5 of the \$10 fee to the
5 department for deposit into the Highway Safety Operating Trust
6 Fund and shall retain \$5 of the fee as reimbursement for the
7 cost of issuing the replacement license.~~Nine dollars of the~~
8 ~~fee levied in this subsection shall go to the Highway Safety~~
9 ~~Operating Trust Fund of the department.~~

10 (4)~~(3)~~ Notwithstanding any other provisions of this
11 chapter, if a licensee establishes his or her identity for a
12 driver's license using an identification document authorized
13 under s. 322.08(2)(c)5.-6., the licensee may not obtain a
14 duplicate or replacement instruction permit or driver's
15 license except in person and upon submission of an
16 identification document authorized under s. 322.08(2)(c)5.-6.

17 Section 18. Subsections (1), (4), (5), (6), (7), and
18 (8) of section 322.18, Florida Statutes, are amended to read:

19 322.18 Original applications, licenses, and renewals;
20 expiration of licenses; delinquent licenses.--

21 (1)(a) Except as provided in paragraph (b), the
22 department or an authorized or exclusive agent county tax
23 collector may issue an original driver's license only after
24 the applicant successfully passes the required examinations
25 and presents the application to the department or county tax
26 collector.

27 (b) The department or an authorized or exclusive agent
28 county tax collector may waive the driver's license
29 examination requirement if the applicant is otherwise
30 qualified and surrenders a valid license issued by another
31 state, a province of Canada, or the United States Armed Forces

1 which is of an equal or lesser classification as provided in
2 s. 322.12.

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

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

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

29 (5) All renewal driver's licenses may be issued after
30 the applicant licensee has been determined to be eligible by
31

1 the department or an authorized or exclusive agent county tax
2 collector.

3 (6) If the licensee does not receive a renewal notice,
4 the licensee or applicant may apply to the department or an
5 authorized or exclusive agent county tax collector, under
6 oath, at any driver's license examining office. Such
7 application shall be on a form prepared and furnished by the
8 department. The department shall make such forms available to
9 the various authorized examining offices throughout the state.
10 Upon receipt of such application, the department or county tax
11 collector shall issue a license or temporary permit to the
12 applicant or shall advise the applicant that no license or
13 temporary permit will be issued and advise the applicant of
14 the reason for his or her ineligibility.

15 (7) An expired Florida driver's license may be renewed
16 any time within 12 months after the expiration date, with
17 reexamination, if required, upon payment of the required
18 delinquent fee or taking and passing the written examination.
19 If the final date upon which a license may be renewed under
20 this section falls upon a Saturday, Sunday, or legal holiday,
21 the renewal period shall be extended to midnight of the next
22 regular working day. The department or an authorized or
23 exclusive agent county tax collector may refuse to issue any
24 license if:

25 (a) It has reason to believe the licensee is no longer
26 qualified to receive a license.

27 (b) Its records reflect that the applicant's driving
28 privilege is under suspension or revocation.

29 (8) The department shall issue 4-year and 6-year
30 license extensions by mail, electronic, or telephonic means
31 without reexamination.

1 (a) If the department determines from its records that
2 the holder of a license about to expire is eligible for
3 renewal, the department shall mail a renewal notice to the
4 licensee at his or her last known address, not less than 30
5 days prior to the licensee's birthday. The renewal notice
6 shall direct the licensee to appear at an authorized ~~a~~ driver
7 license office for in-person renewal or to transmit the
8 completed renewal notice and the fees required by s. 322.21 to
9 the department by mail, electronically, or telephonically
10 within the 30 days preceding the licensee's birthday for a
11 license extension. License extensions shall not be available
12 to drivers directed to appear for in-person renewal.

13 (b) Upon receipt of a properly completed renewal
14 notice, payment of the required fees, and upon determining
15 that the licensee is still eligible for renewal, the
16 department shall send a license extension sticker to the
17 licensee to affix to the expiring license as evidence that the
18 license term has been extended.

19 (c) The department shall issue license extensions for
20 two consecutive license expirations only. Upon expiration of
21 two consecutive license extension periods, in-person renewal
22 with reexamination as provided in s. 322.121 shall be
23 required. A person who is out of this state when his or her
24 license expires may be issued a 90-day temporary driving
25 permit without reexamination. At the end of the 90-day period,
26 the person must either return to this state or apply for a
27 license where the person is located, except for a member of
28 the Armed Forces as provided in s. 322.121(6).

29 (d) In-person renewal at an authorized ~~a~~ driver
30 license office shall not be available to drivers whose records
31 indicate they were directed to apply for a license extension.

1 (e) Any person who knowingly possesses any forged,
2 stolen, fictitious, counterfeit, or unlawfully issued license
3 extension sticker, unless possession by such person has been
4 duly authorized by the department, commits a misdemeanor of
5 the second degree, punishable as provided in s. 775.082 or s.
6 775.083.

7 (f) The department shall develop a plan for the
8 equitable distribution of license extensions and renewals and
9 the orderly implementation of this section.

10 Section 19. Subsections (1), (3), (4), (11), (12),
11 (13), and (14) of section 322.20, Florida Statutes, are
12 amended to read:

13 322.20 Records of the department; fees; destruction of
14 records.--

15 (1) The department shall maintain a record of every
16 application for license received by it or an authorized or
17 exclusive agent county tax collector. The possession of such
18 an application form, whether filled out or in blank, or of a
19 counterfeit thereof, not authorized by the department or its
20 personnel constitutes a misdemeanor of the second degree,
21 punishable as provided in s. 775.082 or s. 775.083.

22 (3) The department shall maintain convenient records
23 or make suitable notations, in order that the individual
24 driver history record of each licensee is readily available
25 for the consideration of the department or an authorized or
26 exclusive agent county tax collector upon application for
27 renewal of a license and at other suitable times. The release
28 by the department of the driver history record, with respect
29 to crashes involving a licensee, shall not include any
30 notation or record of the occurrence of a motor vehicle crash
31 unless the licensee received a traffic citation as a direct

1 result of the crash, and to this extent such notation or
2 record is exempt from the provisions of s. 119.07(1).

3 (4) It is unlawful for any person to falsify, alter,
4 erase, remove, or destroy, or cause to be altered, erased,
5 removed, or destroyed, any record maintained by the department
6 or an authorized or exclusive agent county tax collector
7 unless the alteration, erasure, removal, or destruction has
8 been duly authorized.

9 (11)(a) The department or an authorized or exclusive
10 agent county tax collector may ~~is authorized to~~ charge the
11 following fees for the following services and documents:

- 12 1. For providing a transcript of any one individual's
13 driver history record or any portion thereof for the past 3
14 years or for searching for such record when no record is found
15 to be on file.....\$2.10
- 16 2. For providing a transcript of any one individual's
17 driver history record or any portion thereof for the past 7
18 years or for searching for such record when no record is found
19 to be on file.....\$3.10
- 20 3. For providing a certified copy of a transcript of
21 the driver history record or any portion thereof for any one
22 individual.....\$3.10
- 23 4. For providing a certified photographic copy of a
24 document, per page.....\$1.00
- 25 5. For providing an exemplified record.....\$15.00
- 26 6. For providing photocopies of documents, papers,
27 letters, clearances, or license or insurance status reports,
28 per page.....\$0.50
- 29 7. For assisting persons in searching any one
30 individual's driver record at a terminal located at the
31 department's general headquarters in Tallahassee.....\$2.00

1 (b) The department shall furnish such information
2 without charge to any local, state, or federal law enforcement
3 agency or court upon proof satisfactory to the department as
4 to the purpose of the investigation.

5 (12) If the service is provided by the department, the
6 fees collected under this section shall be placed in the
7 Highway Safety Operating Trust Fund. If the service is
8 provided by an exclusive agent county tax collector, the fees
9 collected under this section shall be retained by the tax
10 collector as reimbursement for providing the service as agent
11 of the department.

12 (13) The department or an authorized or exclusive
13 agent county tax collector may ~~is authorized~~ in accordance
14 with chapter 257 ~~to~~ destroy reports, records, documents,
15 papers, and correspondence in the Division of Driver Licenses
16 or the tax collector's office which are ~~considered~~ obsolete.

17 (14) The department or an authorized or exclusive
18 agent county tax collector may ~~is authorized to~~ photograph,
19 microphotograph, or reproduce on film such documents, records,
20 and reports as it may select. The photographs or
21 microphotographs in the form of film or print of any records
22 made in compliance with the provisions of this section shall
23 have the same force and effect as the originals thereof and
24 shall be treated as originals for the purpose of their
25 admissibility in evidence. Duly certified or authenticated
26 reproductions of such photographs or microphotographs shall be
27 admitted in evidence equally with the original photographs or
28 microphotographs.

29 Section 20. Subsections (2), (3), (4), and (5) of
30 section 322.21, Florida Statutes, are amended to read:

31

1 322.21 License fees; procedure for handling and
2 collecting fees.--

3 (2) ~~It is the duty of the Director of The Division of~~
4 Driver Licenses shall ~~to~~ set up a division in the department
5 with the necessary personnel to perform the necessary clerical
6 and routine work for the department and an authorized or
7 exclusive agent county tax collector shall provide sufficient
8 personnel to perform all clerical and routine work for the tax
9 collector in issuing and recording applications, licenses, and
10 certificates of eligibility, including the receiving, ~~and~~
11 accounting, and proper disbursement of all license funds ~~and~~
12 ~~their payment into the State Treasury~~, and performing other
13 incidental clerical work connected with the administration of
14 this chapter. The department or county tax collector may ~~is~~
15 ~~authorized~~ to use such electronic, mechanical, or other
16 devices as necessary to accomplish the purposes of this
17 chapter.

18 (3) The department shall prepare sufficient forms for
19 certificates of eligibility, applications, notices, and
20 license materials to supply all authorized agents and all
21 applicants for driver's licenses and all renewal licenses.

22 (4) If the department determines from its records or
23 is otherwise satisfied that the holder of a license about to
24 expire is entitled to have it renewed, the department shall
25 mail a renewal notice to him or her at his or her last known
26 address, not less than 30 days prior to the licensee's
27 birthday. The licensee shall be issued a renewal license,
28 after reexamination, if required, during the 30 days
29 immediately preceding his or her birthday upon presenting a
30 renewal notice, his or her current license, and the fee for
31

1 renewal to the department or an authorized or exclusive agent
2 county tax collector at any driver's license examining office.

3 (5)(a) The department shall collect and transmit all
4 fees received by it under this section to the Treasurer to be
5 placed in the General Revenue Fund of the state, and
6 sufficient funds for the necessary expenses of the department
7 shall be included in the appropriations act. The fees shall be
8 used for the maintenance and operation of the department.

9 (b) A county tax collector, when serving as an
10 exclusive agent for the department, shall retain as
11 reimbursement for actual services rendered the following
12 portions of fees:

13 1. For renewal of a commercial driver's license as
14 provided under paragraph (1)(a), \$7 of the \$50 fee and, when
15 applicable, 50 cents of the delinquent fee of \$1.

16 2. For issuance of an original Class D or Class E
17 driver's license as provided under paragraph (1)(b) or a
18 learner's driver's license as provided under s. 322.1615, \$13
19 of the \$20 fee.

20 3. For renewal or extension of a Class D or Class E
21 driver's license as provided under paragraph (1)(c) or a
22 license restricted to motorcycle use only, \$5 of the \$15 fee
23 and, when applicable, the delinquent fee of \$1.

24 4. For issuance of an original driver's license
25 restricted to motorcycle use only, \$15 of the \$20 fee.

26 5. For issuance of an endorsement required under s.
27 322.57, \$5.

28 6. For processing the written test portion of the
29 commercial driver's license requirement of paragraph (1)(a), a
30 fee of \$7.

31

1 Section 21. Section 322.221, Florida Statutes, is
2 amended to read:

3 322.221 Department or an exclusive agent county tax
4 collector may require reexamination.--

5 (1) The department, having good cause to believe that
6 a licensed driver is incompetent or otherwise not qualified to
7 be licensed, may, at any time upon written notice of at least
8 5 days to the licensee, require him or her to submit to an
9 examination or reexamination. Good cause as used herein shall
10 be construed to mean that a licensee's driving record, a
11 report as provided in s. 322.126, or other evidence is
12 sufficient to indicate that his or her driving privilege is
13 detrimental to public safety.

14 (2)(a) The department may require an examination or
15 reexamination to determine the competence and driving ability
16 of any driver causing or contributing to the cause of any
17 crash resulting in death, personal injury, or property damage.

18 (b) The department or an exclusive agent county tax
19 collector may, in their ~~its~~ discretion, require any licensed
20 driver to submit to an examination or reexamination prior to
21 his or her normal renewal date upon receipt of a
22 recommendation from a court having jurisdiction of traffic
23 offenses, a law enforcement agency, or a physician stating
24 that the driver's ability to operate a motor vehicle safely is
25 questionable. At the time of renewal of his or her license a
26 driver may be required to submit to an examination or
27 reexamination at the discretion of the examiner if the
28 physical appearance or actions of the licensee give rise to
29 serious doubt as to his or her ability to operate a vehicle
30 safely.

31

1 (c) If the department or an exclusive agent county tax
2 collector has reason to believe that a licensee is physically
3 or mentally unqualified to operate a motor vehicle, it may
4 require the licensee to submit medical reports regarding his
5 or her physical or mental condition to the department's
6 medical advisory board for its review and recommendation. The
7 submission of medical reports shall be made without expense to
8 the state.

9 (3) Upon the conclusion of such examination or
10 reexamination the department shall take action as may be
11 appropriate and may suspend or revoke the license of such
12 person or permit him or her to retain such license, or may
13 issue a license subject to restrictions as permitted under s.
14 322.16. Refusal or neglect of the licensee to submit to such
15 examination or reexamination shall be ground for suspension or
16 revocation of his or her license.

17 Section 22. Subsections (3) and (6) of section
18 322.251, Florida Statutes, are amended to read:

19 322.251 Notice of cancellation, suspension,
20 revocation, or disqualification of license.--

21 (3) Whenever the driving privilege is suspended,
22 revoked, or disqualified under the provisions of this chapter,
23 the period of such suspension, revocation, or disqualification
24 shall be indicated on the order of suspension, revocation, or
25 disqualification, and the department shall require the
26 licensee whose driving privilege is suspended, revoked, or
27 disqualified to surrender all licenses then held by him or her
28 to the department or an authorized or exclusive agent county
29 tax collector. However, should the person fail to surrender
30 such licenses, the suspension, revocation, or disqualification
31 period shall not expire until a period identical to the period

1 for which the driving privilege was suspended, revoked, or
2 disqualified has expired after the date of surrender of the
3 licenses, or the date an affidavit swearing such licenses are
4 lost has been filed with the department or county tax
5 collector. In any instance where the suspension, revocation,
6 or disqualification order is mailed as provided in this
7 section herein, and the license is not surrendered to the
8 department, and such license thereafter expires, the
9 department or county tax collector may ~~shall~~ not renew that
10 license until a period of time identical to the period of such
11 suspension, revocation, or disqualification imposed has
12 expired.

13 (6) Whenever a cancellation, suspension, revocation,
14 or disqualification occurs, the department shall enter the
15 cancellation, suspension, revocation, or disqualification
16 order on the licensee's driver file 20 days after the notice
17 was actually placed in the mail. Any inquiry into the file
18 after the 20-day period shall reveal that the license is
19 canceled, suspended, revoked, or disqualified and whether the
20 license has been received by the department or an authorized
21 or exclusive agent county tax collector.

22 Section 23. Paragraph (a) of subsection (2) of section
23 322.282, Florida Statutes, is amended to read:

24 322.282 Procedure when court revokes or suspends
25 license or driving privilege and orders reinstatement.--When a
26 court suspends or revokes a person's license or driving
27 privilege and, in its discretion, orders reinstatement as
28 provided by s. 322.28(2)(d) or former s. 322.261(5):

29 (2)(a) The court shall issue an order of
30 reinstatement, on a form to be furnished by the department,
31 which the person may take to any driver's license examining

1 office. The department or an authorized or exclusive agent
2 county tax collector shall issue a temporary driver's permit
3 to a licensee who presents the court's order of reinstatement,
4 proof of completion of a department-approved driver training
5 or substance abuse education course, and a written request for
6 a hearing under s. 322.271. The permit shall not be issued if
7 a record check by the department or county tax collector shows
8 that the person has previously been convicted for a violation
9 of s. 316.193, former s. 316.1931, former s. 316.028, former
10 s. 860.01, or a previous conviction outside this state for
11 driving under the influence, driving while intoxicated,
12 driving with an unlawful blood-alcohol level, or any similar
13 alcohol-related or drug-related traffic offense; that the
14 person's driving privilege has been previously suspended for
15 refusal to submit to a lawful test of breath, blood, or urine;
16 or that the person is otherwise not entitled to issuance of a
17 driver's license. This paragraph shall not be construed to
18 prevent the reinstatement of a license or driving privilege
19 that is presently suspended for driving with an unlawful
20 blood-alcohol level or a refusal to submit to a breath, urine,
21 or blood test and is also revoked for a conviction for a
22 violation of s. 316.193 or former s. 316.1931, if the
23 suspension and revocation arise out of the same incident.

24 Section 24. Subsection (4) of section 322.32, Florida
25 Statutes, is amended to read:

26 322.32 Unlawful use of license.--It is a misdemeanor
27 of the second degree, punishable as provided in s. 775.082 or
28 s. 775.083, for any person:

29 (4) To fail or refuse to surrender to the department
30 or an authorized or exclusive agent county tax collector or to
31 any law enforcement officer, upon lawful demand, any driver's

1 license in his or her possession that has been suspended,
2 revoked, disqualified, or canceled.

3 Section 25. This act shall take effect October 1,
4 2003.

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7 SENATE SUMMARY

8 Provides procedures for authorized or exclusive agent
9 county tax collectors to issue drivers' licenses and
10 identification cards as agents of the Department of
11 Highway Safety and Motor Vehicles. Provides for the tax
12 collectors to retain a portion of the license fees as
13 reimbursement for the costs of issuance. Requires that
14 the county tax collectors maintain records and provide
15 personnel to perform the duties required under the act.
16 (See bill for details.)
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