

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 26-A

SPONSOR: Appropriations Committee and Senator Webster

SUBJECT: Driver's Licenses

DATE: May 14, 2003 REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|----------|----------------|-----------|--------|
| 1. | Mannelli | Coburn | AP | Fav/CS |
| 2. | _____ | _____ | _____ | _____ |
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I. Summary:

The bill amends ss. 318.15, 322.051, 322.12, 322.17, and 322.21, F.S., to increase fees for identification cards; to increase the fee for the reinstatement of suspended and revoked licenses; to create new fees for each retake of the knowledge portion and the skills portion of the driver's exam after failure of the initial exam; and to eliminate the fee for address changes for driver licenses.

The bill amends s. 322.251, F.S., to conform to the bill.

This bill substantially amends ss. 318.15, 322.051, 322.12, 322.17, 322.21, 322.251, 322.29, Florida Statutes.

II. Present Situation:

Section 322.051, F.S., authorizes HSMV to issue identification cards and specifies the requirements that must be met by applicants before the identification card may be issued. In addition to requirements concerning proof of identity, applicants must pay a \$3 fee for new and renewal cards and \$2.50 for duplicates.

Section 322.12, F.S., provides that any person who applies for driver's license reinstatement following the suspension or revocation of his or her driver's license must pay a service fee of \$25 following a suspension, and \$50 following a revocation, which is in addition to the fee for a license. Any person who applies for reinstatement of a commercial driver's license following the disqualification of his or her privilege to operate a commercial motor vehicle must pay a service

fee of \$50, which is in addition to the fee for a license. The DHSMV must collect all of these fees at the time of reinstatement, and promptly transmit all funds received as follows:

1. Of the \$25 fee received from a licensee for reinstatement following a suspension, the department must deposit \$15 in the General Revenue Fund and the remaining \$10 in the Highway Safety Operating Trust Fund.
2. Of the \$50 fee received from a licensee for reinstatement following a revocation or disqualification, the department must deposit \$35 in the General Revenue Fund and the remaining \$15 in the Highway Safety Operating Trust Fund.

If the revocation or suspension of the driver's license was for a violation of s. 316.193, F.S., (driving under the influence) or for refusal to submit to a lawful breath, blood, or urine test, an additional fee of \$105 must be charged. However, only one such \$105 fee is to be collected from one person convicted of such violations arising out of the same incident. The DHSMV must collect the \$105 fee and deposit it into the Highway Safety Operating Trust Fund at the time of reinstatement of the person's driver's license, but the fee must not be collected if the suspension or revocation was overturned.

Section 322.17(2), F.S., requires a \$10 fee for a replacement driver license to reflect a license holder's change of address.

Section 322.29(2), F.S., requires a \$25 fee for the reinstatement of a driver license suspended for offenses specified in ss. 315.15 or 322.245, F.S.

III. Effect of Proposed Changes:

Section 1 - Section 318.15, F.S., is amended to specify that the fee increase provided in **Section 8** of this bill is to be deposited into the Highway Safety Operating Trust Fund.

Section 2 - Section 322.051, F.S., is amended to increase the fees for identification cards from \$3 to \$10 for new or renewal cards and from \$2.50 to \$10 for replacement cards and specifies that \$1.00 of the increase for new cards will go to General Revenue with the remainder going to the Highway Safety Operating Trust Fund.

Section 3 - Section 322.12, F.S., is amended to create new fees of \$5 for each retake of the knowledge portion of the drivers' exam and \$10 for each retake of the skills portion of the drivers' exam after failure of the initial exam. Funds from the new fees are directed to the Highway Safety Operating Trust Fund. Further, this section deletes language concerning fees for the reinstatement of suspended or revoked licenses (the provisions are moved to s. 322.21, F.S., - see **Section 6**).

Section 4 - Section 322.17, F.S., is amended to eliminate the \$10 fee for address changes for driver licenses and to correct a cross reference in s. 322.08, F.S., which will change as a result of the bill.

Section 5 - Section 322.21, F.S., is amended to increase the fee for the reinstatement of suspended licenses from \$25 to \$35 and the fee for the reinstatement of revoked licenses from \$50 to \$60; however, if the revocation or suspension was for a violation of driving under the influence laws for refusal to submit to a lawful breath, blood, or urine test, the reinstatement fee is increased from \$105 to \$115. Funds from the new fees are directed to the Highway Safety Operating Trust Fund.

Section 6 - Conforming provision – amends s. 322.251, F.S., to correct a cross reference in s. 322.21, F.S., which will change as a result of the bill.

Section 7 - Section 322.29, F.S., is amended to increase the fee for the reinstatement of a suspended driver license from \$25 to \$35 and to direct the increased fee to the Highway Safety Operating Trust Fund. This section is further amended to correct a cross reference to specify that this fee does not apply if the licensee has paid a reinstatement fee under 322.21, F.S.

Section 8 - The bill specifies that if any laws amended by this bill were also amended during the 2003 Regular Session, they are to be construed as if they had been enacted during the same session of the Legislature.

IV. Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

This bill:

1. amends s. 322.051, F.S., to increase fees for identification cards from \$3 to \$10 for new or renewal cards and from \$2.50 to \$10 for replacement cards. Based on projected usage, it is estimated that this would generate approximately \$521,503 for the General Revenue fund and \$4.8 million for the Highway Safety Operating Trust Fund in FY 2003-04.
2. amends s. 322.12, F.S., to create new fees of \$5 for each retake of the knowledge portion of the drivers' exam and \$10 for each retake of the skills portion of the drivers' exam after failure of the initial exam. Based on projected usage, it is

estimated that this would generate approximately \$3.7 million for the Highway Safety Operating Trust Fund in FY 2003-04.

3. amends s. 322.17, F.S., to eliminate the charge for address changes for driver licenses. Based on projected usage, it is estimated that this would reduce receipts to the General Revenue fund by approximately \$555,855 and receipts to the Highway Safety Operating Trust Fund by \$5.0 million in FY 2003-04.
4. amends s. 322.21, F.S., to increase the fee for the reinstatement of suspended licenses from \$25 to \$35 and the fee for the reinstatement of revoked licenses from \$50 to \$60. Based on projected usage, it is estimated that this would generate approximately \$2.4 million for the Highway Safety Operating Trust Fund in FY 2003-04.
5. amends s. 322.21, F.S., to increase the driver's license reinstatement fee for a violation of s. 316.193, F.S., or for the refusal to submit to a lawful breath, blood, or urine test from \$105 to \$115. Based on projected usage, it is estimated that this would generate approximately \$509,920 annually for Highway Safety Operating Trust Fund.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The DHSMV would incur a one-time cost of \$114,570 for programming costs to modify motor vehicle and driver's license software system, which would be offset by the increased fees for driver license reinstatements.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.