

1 A bill to be entitled
2 An act relating to motor vehicles; amending s.
3 318.15, F.S.; providing for driver's license
4 reinstatement; providing for disposition of
5 fees; amending s. 322.051, F.S.; revising fees;
6 amending s. 322.12, F.S.; revising provisions
7 relating to the subsequent testing of driving
8 knowledge and skills; amending s. 322.21, F.S.;
9 providing driver's license reinstatement fees;
10 providing for fee distribution; amending s.
11 322.251, F.S.; providing a conforming change;
12 amending s. 322.29, F.S.; providing driver's
13 license reinstatement fees; providing for fee
14 distribution; providing for construction of the
15 act in pari materia with laws enacted during
16 the Regular Session of the Legislature;
17 providing an effective date.

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

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21 Section 1. Subsection (2) of section 318.15, Florida
22 Statutes, is amended to read:

23 318.15 Failure to comply with civil penalty or to
24 appear; penalty.--

25 (2) After suspension of the driver's license and
26 privilege to drive of a person under subsection (1), the
27 license and privilege may not be reinstated until the person
28 complies with all obligations and penalties imposed on him or
29 her under s. 318.18 and presents to a driver license office a
30 certificate of compliance issued by the court, ~~together~~ with
31 the \$35~~\$25~~ nonrefundable service fee imposed under s. 322.29,

1 or presents the certificate of compliance and pays the
2 aforementioned~~\$35~~\$25 service fee to the clerk of the court
3 or tax collector clearing such suspension, with \$10 of the fee
4 collected by the clerk of the court or tax collector to be
5 remitted to the Department of Revenue to be deposited into the
6 Highway Safety Operating Trust Fund. Such person shall also be
7 in compliance with requirements of chapter 322 prior to
8 reinstatement.

9 Section 2. Subsections (2) and (3) of section 322.051,
10 Florida Statutes, are amended to read:

11 322.051 Identification cards.--

12 (2)(a) Every identification card shall expire, unless
13 canceled earlier, on the fourth birthday of the applicant
14 following the date of original issue. However, if an
15 individual is 60 years of age or older, and has an
16 identification card issued under this section, the card shall
17 not expire unless done so by cancellation by the department or
18 by the death of the cardholder. Renewal of any identification
19 card shall be made for a term which shall expire on the fourth
20 birthday of the applicant following expiration of the
21 identification card renewed, unless surrendered earlier. Any
22 application for renewal received later than 90 days after
23 expiration of the identification card shall be considered the
24 same as an application for an original identification card.
25 The renewal fee for an identification card shall be \$10, of
26 which \$4 shall be deposited into the General Revenue Fund and
27 \$6 into the Highway Safety Operating Trust Fund~~\$3~~. The
28 department shall, at the end of 4 years and 6 months after the
29 issuance or renewal of an identification card, destroy any
30 record of the card if it has expired and has not been renewed,
31 unless the cardholder is 60 years of age or older.

1 (b) Notwithstanding any other provision of this
2 chapter, if an applicant establishes his or her identity for
3 an identification card using a document authorized under
4 sub-subparagraph (a)3.d., the identification card shall expire
5 on the fourth birthday of the applicant following the date of
6 original issue or upon first renewal or duplicate issued after
7 implementation of this section. After an initial showing of
8 such documentation, he or she is exempted from having to renew
9 or obtain a duplicate in person.

10 (c) Notwithstanding any other provisions of this
11 chapter, if an applicant establishes his or her identity for
12 an identification card using an identification document
13 authorized under sub-subparagraphs (a)3.e.-f., the
14 identification card shall expire 2 4 years after the date of
15 issuance or upon the expiration date cited on the United
16 States Department of Justice documents, whichever date first
17 occurs, and may not be renewed or obtain a duplicate except in
18 person.

19 (3) If ~~In the event~~ an identification card issued
20 under this section is lost, destroyed, or mutilated or a new
21 name is acquired, the person to whom it was issued may obtain
22 a duplicate upon furnishing satisfactory proof of such fact to
23 the department and upon payment of a fee of ~~\$10~~\$2.50 for such
24 duplicate, \$2.50 of which shall be deposited into the General
25 Revenue Fund and \$7.50 into the Highway Safety Operating Trust
26 Fund. The fee ~~which~~ shall include payment for the color
27 photograph or digital image of the applicant. Any person who
28 loses an identification card and who, after obtaining a
29 duplicate, finds the original card shall immediately surrender
30 the original card to the department. The same documentary
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1 evidence shall be furnished for a duplicate as for an original
2 identification card.

3 Section 3. Subsections (1) and (2) and paragraph (a)
4 of subsection (5) of section 322.12, Florida Statutes, are
5 amended to read:

6 322.12 Examination of applicants.--

7 (1) It is the intent of the Legislature that every
8 applicant for an original driver's license in this state be
9 required to pass an examination pursuant to this section.
10 However, the department may waive the knowledge, endorsement,
11 and skills tests for an applicant who is otherwise qualified
12 and who surrenders a valid driver's license from another state
13 or a province of Canada, or a valid driver's license issued by
14 the United States Armed Forces, if the driver applies for a
15 Florida license of an equal or lesser classification. Any
16 applicant who fails to pass the initial knowledge test will
17 incur a \$5 fee for each subsequent test, to be deposited into
18 the Highway Safety Operating Trust Fund. Any applicant who
19 fails to pass the initial skills test will incur a \$10 fee for
20 each subsequent test, to be deposited into the Highway Safety
21 Operating Trust Fund.A person who seeks to retain a
22 hazardous-materials endorsement, pursuant to s. 322.57(1)(d),
23 must pass the hazardous-materials test, upon surrendering his
24 or her commercial driver's license, if the person has not
25 taken and passed the hazardous-materials test within 2 years
26 preceding his or her application for a commercial driver's
27 license in this state.

28 (2) The department shall examine every applicant for a
29 driver's license, including an applicant who is licensed in
30 another state or country, except as otherwise provided in this
31 chapter. A person who holds a learner's driver's license as

1 provided for in s. 322.1615 is not required to pay a fee for
2 successfully completing the examination showing his or her
3 ability to operate a motor vehicle as provided for herein and
4 need not pay the fee for a replacement license as provided in
5 s. 322.17(2). ~~Any person who applies for reinstatement~~
6 ~~following the suspension or revocation of his or her driver's~~
7 ~~license shall pay a service fee of \$25 following a suspension,~~
8 ~~and \$50 following a revocation, which is in addition to the~~
9 ~~fee for a license. Any person who applies for reinstatement of~~
10 ~~a commercial driver's license following the disqualification~~
11 ~~of his or her privilege to operate a commercial motor vehicle~~
12 ~~shall pay a service fee of \$50, which is in addition to the~~
13 ~~fee for a license. The department shall collect all of these~~
14 ~~fees at the time of reinstatement. The department shall issue~~
15 ~~proper receipts for such fees and shall promptly transmit all~~
16 ~~funds received by it as follows:~~

17 ~~(a) Of the \$25 fee received from a licensee for~~
18 ~~reinstatement following a suspension, the department shall~~
19 ~~deposit \$15 in the General Revenue Fund and the remaining \$10~~
20 ~~in the Highway Safety Operating Trust Fund.~~

21 ~~(b) Of the \$50 fee received from a licensee for~~
22 ~~reinstatement following a revocation or disqualification, the~~
23 ~~department shall deposit \$35 in the General Revenue Fund and~~
24 ~~the remaining \$15 in the Highway Safety Operating Trust Fund.~~

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26 ~~If the revocation or suspension of the driver's license was~~
27 ~~for a violation of s. 316.193, or for refusal to submit to a~~
28 ~~lawful breath, blood, or urine test, an additional fee of \$105~~
29 ~~must be charged. However, only one such \$105 fee is to be~~
30 ~~collected from one person convicted of such violations arising~~
31 ~~out of the same incident. The department shall collect the~~

1 ~~\$105 fee and deposit it into the Highway Safety Operating~~
2 ~~Trust Fund at the time of reinstatement of the person's~~
3 ~~driver's license, but the fee must not be collected if the~~
4 ~~suspension or revocation was overturned.~~

5 (5)(a) The department shall formulate a separate
6 examination for applicants for licenses to operate
7 motorcycles. Any applicant for a driver's license who wishes
8 to operate a motorcycle, and who is otherwise qualified, must
9 successfully complete such an examination, which is in
10 addition to the examination administered under subsection (3).
11 The examination must test the applicant's knowledge of the
12 operation of a motorcycle and of any traffic laws specifically
13 relating thereto and must include an actual demonstration of
14 his or her ability to exercise ordinary and reasonable control
15 in the operation of a motorcycle. Any applicant who fails to
16 pass the initial knowledge examination will incur a \$5 fee for
17 each subsequent examination, to be deposited into the Highway
18 Safety Operating Trust Fund. Any applicant who fails to pass
19 the initial skills examination will incur a \$10 fee for each
20 subsequent examination, to be deposited into the Highway
21 Safety Operating Trust Fund. In the formulation of the
22 examination, the department shall consider the use of the
23 Motorcycle Operator Skills Test and the Motorcycle in Traffic
24 Test offered by the Motorcycle Safety Foundation. The
25 department shall indicate on the license of any person who
26 successfully completes the examination that the licensee is
27 authorized to operate a motorcycle. If the applicant wishes
28 to be licensed to operate a motorcycle only, he or she need
29 not take the skill or road test required under subsection (3)
30 for the operation of a motor vehicle, and the department shall
31 indicate such a limitation on his or her license as a

1 restriction. Every first-time applicant for licensure to
2 operate a motorcycle who is under 21 years of age must provide
3 proof of completion of a motorcycle safety course, as provided
4 for in s. 322.0255, before the applicant may be licensed to
5 operate a motorcycle.

6 Section 4. Subsection (8) is added to section 322.21,
7 Florida Statutes, to read:

8 322.21 License fees; procedure for handling and
9 collecting fees.--

10 (8) Any person who applies for reinstatement following
11 the suspension or revocation of the person's driver's license
12 shall pay a service fee of \$35 following a suspension, and \$60
13 following a revocation, which is in addition to the fee for a
14 license. Any person who applies for reinstatement of a
15 commercial driver's license following the disqualification of
16 the person's privilege to operate a commercial motor vehicle
17 shall pay a service fee of \$60, which is in addition to the
18 fee for a license. The department shall collect all of these
19 fees at the time of reinstatement. The department shall issue
20 proper receipts for such fees and shall promptly transmit all
21 funds received by it as follows:

22 (a) Of the \$35 fee received from a licensee for
23 reinstatement following a suspension, the department shall
24 deposit \$15 in the General Revenue Fund and \$20 in the Highway
25 Safety Operating Trust Fund.

26 (b) Of the \$60 fee received from a licensee for
27 reinstatement following a revocation or disqualification, the
28 department shall deposit \$35 in the General Revenue Fund and
29 \$25 in the Highway Safety Operating Trust Fund.

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1 If the revocation or suspension of the driver's license was
2 for a violation of s. 316.193, or for refusal to submit to a
3 lawful breath, blood, or urine test, an additional fee of \$115
4 must be charged. However, only one \$115 fee may be collected
5 from one person convicted of violations arising out of the
6 same incident. The department shall collect the \$115 fee and
7 deposit the fee into the Highway Safety Operating Trust Fund
8 at the time of reinstatement of the person's driver's license,
9 but the fee may not be collected if the suspension or
10 revocation is overturned.

11 Section 5. Subsection (4) of section 322.251, Florida
12 Statutes, is amended to read:

13 322.251 Notice of cancellation, suspension,
14 revocation, or disqualification of license.--

15 (4) A person whose privilege to operate a commercial
16 motor vehicle is temporarily disqualified may, upon
17 surrendering his or her commercial driver's license, be issued
18 a Class D or Class E driver's license, valid for the length of
19 his or her unexpired commercial driver's license, at no cost.
20 Such person may, upon the completion of his or her
21 disqualification, be issued a commercial driver's license, of
22 the type disqualified, for the remainder of his or her
23 unexpired license period. Any such person shall pay the
24 reinstatement fee provided in s. 322.21 ~~s. 322.12~~ before being
25 issued a commercial driver's license.

26 Section 6. Subsection (2) of section 322.29, Florida
27 Statutes, is amended to read:

28 322.29 Surrender and return of license.--

29 (2) The provisions of subsection (1) to the contrary
30 notwithstanding, no examination is required for the return of
31 a license suspended under s. 318.15 or s. 322.245 unless an

1 examination is otherwise required by this chapter. Every
2 person applying for the return of a license suspended under s.
3 318.15 or s. 322.245 shall present to the department
4 certification from the court that he or she has complied with
5 all obligations and penalties imposed on him or her pursuant
6 to s. 318.15 or, in the case of a suspension pursuant to s.
7 322.245, that he or she has complied with all directives of
8 the court and the requirements of s. 322.245 and shall pay to
9 the department a nonrefundable service fee of \$35, of which
10 \$25 shall be deposited into the General Revenue Fund and \$10
11 shall be deposited into the Highway Safety Operating Trust
12 Fund~~\$25~~. If reinstated by the clerk of the court or tax
13 collector, \$25 shall be retained and \$10 shall be remitted to
14 the Department of Revenue for deposit into the Highway Safety
15 Operating Trust Fund. However, the service fee is not required
16 if the person is required to pay a ~~\$35~~\$25 fee or ~~\$60~~\$50 fee
17 under the provisions of s. 322.21 ~~s. 322.12(2)~~.

18 Section 7. If any law that is amended by this act was
19 also amended by a law enacted at the 2003 Regular Session of
20 the Legislature, such laws shall be construed as if they had
21 been enacted during the same session of the Legislature, and
22 full effect should be given to each if that is possible.

23 Section 8. This act shall take effect October 1, 2003.
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