

By Senator Clary

4-1200-04

1                                   A bill to be entitled  
2           An act relating to driver's licenses; amending  
3           s. 322.09, F.S.; requiring the signature of a  
4           secondary guardian on a driver's license  
5           application for a minor under certain  
6           circumstances; amending s. 322.11, F.S.;  
7           providing for notice to a minor before  
8           canceling the minor's license due to the death  
9           of or withdrawal of consent by the person who  
10          co-signed the initial application; providing an  
11          effective date.

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

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15           Section 1. Paragraph (a) of subsection (1) of section  
16 322.09, Florida Statutes, is amended to read:

17           322.09 Application of minors; responsibility for  
18 negligence or misconduct of minor.--

19           (1)(a) The application of any person under the age of  
20 18 years for a driver's license must be signed and verified  
21 before a person authorized to administer oaths by the father,  
22 mother, or guardian, by a secondary guardian if the primary  
23 guardian withdraws consent or dies before the minor reaches 18  
24 years of age, or, if there is no parent or guardian, by  
25 another responsible adult who is willing to assume the  
26 obligation imposed under this chapter upon a person signing  
27 the application of a minor. This section does not apply to a  
28 person under the age of 18 years who is emancipated by  
29 marriage.

30           Section 2. Section 322.11, Florida Statutes, is  
31 amended to read:

1           322.11 Revocation of license upon death of person  
2 signing minor's application.--The department, upon receipt of  
3 satisfactory evidence of the death of the person who signed  
4 the application of a minor for a license, shall, 90 days after  
5 giving written notice to the minor, cancel such license and  
6 may ~~shall~~ not issue a new license until ~~such time as~~ the new  
7 application, ~~duly~~ signed and verified, is made as required by  
8 this chapter. This provision does ~~shall~~ not apply if ~~in the~~  
9 ~~event~~ the minor has attained the age of 18 years.

10           Section 3. This act shall take effect July 1, 2004.

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13   SENATE SUMMARY

14           Provides for a secondary guardian to sign a driver's  
15 license application of a minor if the primary guardian  
16 dies or withdraws consent. Requires 90 days' notice to a  
17 minor before canceling the license due to the death of  
18 the person who signed the application.  
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