

1 A bill to be entitled

2 An act relating to notice of advance directive; amending
3 s. 322.01, F.S.; defining "advance directive" for purposes
4 of the administration of driver licenses and
5 identification cards; amending s. 322.051, F.S.; requiring
6 the application for an identification card to include the
7 option for the applicant to request that the existence of
8 an advance directive be noted on the identification card;
9 providing for such notation to be marked on original and
10 duplicate cards issued by the Department of Highway Safety
11 and Motor Vehicles; providing for issuance of a sticker to
12 be placed on the card by the cardholder to indicate the
13 existence of an advance directive; providing for a fee;
14 amending s. 322.08, F.S.; requiring the application for a
15 driver license to include the option for the applicant to
16 request that the existence of an advance directive be
17 noted on the driver license; amending s. 322.141, F.S.;
18 requiring driver licenses or identification cards issued
19 or reissued by the department to be prominently marked
20 with "Advance Directive" when such notation is requested;
21 amending s. 322.17, F.S.; providing for reissuance of
22 driver license to add notation of an advance directive;
23 providing for issuance of a sticker in lieu of a
24 replacement license to note the existence of an advance
25 directive; providing for a fee; amending s. 322.18, F.S.;
26 conforming a cross-reference; requiring the application
27 form for an original or renewal issuance of a driver
28 license or a license extension to include the option to

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29 request notation of the existence of an advance directive;
30 providing for licenses issued or reissued by the
31 department to be marked with "Advance Directive";
32 providing for the department to issue a sticker with a
33 license extension; providing an effective date.

34
35 Be It Enacted by the Legislature of the State of Florida:

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37 Section 1. Subsections (2) through (42) of section 322.01,
38 Florida Statutes, are renumbered as subsections (3) through
39 (43), respectively, and a new subsection (2) is added to that
40 section to read:

41 322.01 Definitions.--As used in this chapter:

42 (2) "Advance directive" has the same meaning as that term
43 is defined in s. 765.101.

44 Section 2. Paragraph (d) is added to subsection (1) of
45 section 322.051, Florida Statutes, and subsections (3) and (8)
46 of that section are amended, to read:

47 322.051 Identification cards.--

48 (1) Any person who is 12 years of age or older, or any
49 person who has a disability, regardless of age, who applies for
50 a disabled parking permit under s. 320.0848, may be issued an
51 identification card by the department upon completion of an
52 application and payment of an application fee.

53 (d) Each such application shall include the option for the
54 applicant to request that the existence of an advance directive
55 be noted on the identification card.

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56 (3) (a) If an identification card issued under this section
57 is lost, destroyed, or mutilated or a new name is acquired, the
58 person to whom it was issued may obtain a duplicate upon
59 furnishing satisfactory proof of such fact to the department and
60 upon payment of a fee of \$10 for such duplicate, \$2.50 of which
61 shall be deposited into the General Revenue Fund and \$7.50 into
62 the Highway Safety Operating Trust Fund. Upon request by the
63 cardholder, the department shall cause the duplicate card to be
64 prominently marked with the notation "Advance Directive." The
65 fee shall include payment for the color photograph or digital
66 image of the applicant. Any person who loses an identification
67 card and who, after obtaining a duplicate, finds the original
68 card shall immediately surrender the original card to the
69 department. The same documentary evidence shall be furnished for
70 a duplicate as for an original identification card.

71 (b) Upon written request by the identification card holder
72 and the payment of a \$10 fee, in lieu of replacement, the
73 department shall issue a sticker which shall be affixed to the
74 back of the identification card by the cardholder indicating the
75 existence of an advance directive.

76 (8) The department shall, upon receipt of the required
77 fee, issue to each qualified applicant for an identification
78 card a color photographic or digital image identification card
79 bearing a fullface photograph or digital image of the
80 identification card holder ~~cardholder~~. Notwithstanding chapter
81 761 or s. 761.05, the requirement for a fullface photograph or
82 digital image of the identification card holder ~~cardholder~~ may
83 not be waived. If the notation of an advance directive is

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84 requested, the department shall cause the identification card to
 85 be prominently marked with the notation "Advance Directive." A
 86 space shall be provided upon which the identification card
 87 holder ~~cardholder~~ shall affix his or her usual signature, as
 88 required in s. 322.14, in the presence of an authorized agent of
 89 the department so as to ensure that such signature becomes a
 90 part of the identification card.

91 Section 3. Paragraph (f) is added to subsection (2) of
 92 section 322.08, Florida Statutes, to read:

93 322.08 Application for license.--

94 (2) Each such application shall include the following
 95 information regarding the applicant:

96 (f) The option for the applicant to request that the
 97 existence of an advance directive be noted on the license.

98 Section 4. Subsection (3) is added to section 322.141,
 99 Florida Statutes, to read:

100 322.141 Color or markings of certain licenses or
 101 identification cards.--

102 (3) All licenses or identification cards originally issued
 103 or reissued by the department to persons who have requested that
 104 the existence of an advance directive be noted on the license or
 105 identification card shall be prominently marked with the
 106 notation "Advance Directive."

107 Section 5. Subsection (2) of section 322.17, Florida
 108 Statutes, is amended to read:

109 322.17 Duplicate and replacement certificates.--

110 (2) (a) Upon the surrender of the original license and the
 111 payment of a \$10 replacement fee, the department shall issue a

112 replacement license to make a change in name, address, or
 113 restrictions or to add notation of an advance directive.

114 (b) Upon written request by the licensee and notification
 115 of a change in address or upon written request for notation of
 116 an advance directive, and upon the payment of a \$10 fee, the
 117 department shall, in lieu of a replacement, issue a ~~an address~~
 118 sticker which shall be affixed to the back of the license by the
 119 licensee indicating the correct address or the existence of an
 120 advance directive, as appropriate.

121 (c) Nine dollars of the fee levied in this subsection
 122 shall go to the Highway Safety Operating Trust Fund of the
 123 department.

124 Section 6. Paragraph (e) of subsection (2) of section
 125 322.18, Florida Statutes, is amended, and subsection (10) is
 126 added to that section, to read:

127 322.18 Original applications, licenses, and renewals;
 128 expiration of licenses; delinquent licenses.--

129 (2) Each applicant who is entitled to the issuance of a
 130 driver's license, as provided in this section, shall be issued a
 131 driver's license, as follows:

132 (e) Notwithstanding any other provision of this chapter,
 133 an applicant applying for an original or renewal issuance of a
 134 commercial driver's license as defined in s. 322.01(8)~~(7)~~, with
 135 a hazardous-materials endorsement, pursuant to s. 322.57(1)(e),
 136 shall be issued a driver's license that expires at midnight on
 137 the licensee's birthday that next occurs 4 years after the month
 138 of expiration of the license being issued or renewed.

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139 (10) The application form for an original or renewal
140 issuance or a license extension shall include the option for the
141 applicant to request that the existence of an advance directive
142 be noted on the license.

143 (a) For an original or renewal issuance, if the notation
144 of an advance directive is requested, the department shall cause
145 the license to be prominently marked with the notation "Advance
146 Directive."

147 (b) For a license extension, if the notation of an advance
148 directive is requested, the department shall issue a sticker
149 which shall be affixed to the back of the license by the
150 licensee indicating the existence of an advance directive.

151 Section 7. This act shall take effect July 1, 2006.