

1 A bill to be entitled
 2 An act relating to driver's license fees; amending s.
 3 318.15, F.S.; increasing the nonrefundable service charge
 4 paid to the Department of Highway Safety and Motor
 5 Vehicles or to the clerk of the court to reinstate a
 6 suspended driver's license and privilege to drive;
 7 amending s. 322.21, F.S.; increasing the fees for
 8 reinstating a suspended or revoked driver's license or
 9 commercial motor vehicle license; requiring the Department
 10 of Highway Safety and Motor Vehicles to collect the fees
 11 and deposit them into the General Revenue Fund and the
 12 Highway Safety Operating Trust Fund; requiring that the
 13 deposited funds be appropriated to establish a recruitment
 14 plan for officers of the highway patrol and for a salary
 15 scale to ensure that the salary of highway patrol officers
 16 remains competitive with other law enforcement agencies;
 17 amending s. 322.29, F.S., relating to the surrender and
 18 return of a license; conforming provisions to changes made
 19 by the act; providing an effective date.

20
 21 Be It Enacted by the Legislature of the State of Florida:

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

25 318.15 Failure to comply with civil penalty or to appear;
 26 penalty.--

27 (2) After suspension of the driver's license and privilege
 28 to drive of a person under subsection (1), the license and

29 | privilege may not be reinstated until the person complies with
 30 | all obligations and penalties imposed on him or her under s.
 31 | 318.18 and presents to a driver license office a certificate of
 32 | compliance issued by the court, together with a nonrefundable
 33 | service charge of up to \$60 ~~\$47.50~~ imposed under s. 322.29, or
 34 | presents a certificate of compliance and pays the aforementioned
 35 | service charge of up to \$60 ~~\$47.50~~ to the clerk of the court or
 36 | a driver licensing agent authorized in s. 322.135 clearing such
 37 | suspension. Of the charge collected by the clerk of the court or
 38 | driver licensing agent, \$22.50 ~~\$10~~ shall be remitted to the
 39 | Department of Revenue to be deposited into the Highway Safety
 40 | Operating Trust Fund. Such person shall also be in compliance
 41 | with requirements of chapter 322 prior to reinstatement.

42 | Section 2. Section 322.21, Florida Statutes, is amended to
 43 | read:

44 | 322.21 License fees; procedure for handling and collecting
 45 | fees; distribution of funds to the highway patrol.--

46 | (1) Except as otherwise provided herein, the fee for:

47 | (a) An original or renewal commercial driver's license is
 48 | \$50, which shall include the fee for driver education provided
 49 | by s. 1003.48; however, if an applicant has completed training
 50 | and is applying for employment or is currently employed in a
 51 | public or nonpublic school system that requires the commercial
 52 | license, the fee shall be the same as for a Class E driver's
 53 | license. A delinquent fee of \$1 shall be added for a renewal
 54 | made not more than 12 months after the license expiration date.

55 | (b) An original Class E driver's license is \$20, which
 56 | shall include the fee for driver's education provided by s.

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57 | 1003.48; however, if an applicant has completed training and is
58 | applying for employment or is currently employed in a public or
59 | nonpublic school system that requires a commercial driver
60 | license, the fee shall be the same as for a Class E license.

61 | (c) The renewal or extension of a Class E driver's license
62 | or of a license restricted to motorcycle use only is \$15, except
63 | that a delinquent fee of \$1 shall be added for a renewal or
64 | extension made not more than 12 months after the license
65 | expiration date. The fee provided in this paragraph shall
66 | include the fee for driver's education provided by s. 1003.48.

67 | (d) An original driver's license restricted to motorcycle
68 | use only is \$20, which shall include the fee for driver's
69 | education provided by s. 1003.48.

70 | (e) Each endorsement required by s. 322.57 is \$5.

71 | (f) A hazardous-materials endorsement, as required by s.
72 | 322.57(1)(d), shall be set by the department by rule and shall
73 | reflect the cost of the required criminal history check,
74 | including the cost of the state and federal fingerprint check,
75 | and the cost to the department of providing and issuing the
76 | license. The fee shall not exceed \$100. This fee shall be
77 | deposited in the Highway Safety Operating Trust Fund. The
78 | department may adopt rules to administer this section.

79 | (2) It is the duty of the Director of the Division of
80 | Driver Licenses to set up a division in the department with the
81 | necessary personnel to perform the necessary clerical and
82 | routine work for the department in issuing and recording
83 | applications, licenses, and certificates of eligibility,
84 | including the receiving and accounting of all license funds and

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85 their payment into the State Treasury, and other incidental
86 clerical work connected with the administration of this chapter.
87 The department is authorized to use such electronic, mechanical,
88 or other devices as necessary to accomplish the purposes of this
89 chapter.

90 (3) The department shall prepare sufficient forms for
91 certificates of eligibility, applications, notices, and license
92 materials to supply all applicants for driver's licenses and all
93 renewal licenses.

94 (4) If the department determines from its records or is
95 otherwise satisfied that the holder of a license about to expire
96 is entitled to have it renewed, the department shall mail a
97 renewal notice to him or her at his or her last known address,
98 not less than 30 days prior to the licensee's birthday. The
99 licensee shall be issued a renewal license, after reexamination,
100 if required, during the 30 days immediately preceding his or her
101 birthday upon presenting a renewal notice, his or her current
102 license, and the fee for renewal to the department at any
103 driver's license examining office.

104 (5) The department shall collect and transmit all fees
105 received by it under this section to the Chief Financial Officer
106 to be placed in the General Revenue Fund of the state, and
107 sufficient funds for the necessary expenses of the department
108 shall be included in the appropriations act. The fees shall be
109 used for the maintenance and operation of the department.

110 (6) Any member of the Armed Forces or his or her spouse,
111 daughter, son, stepdaughter, or stepson, who holds a Florida
112 driver's license and who presents an affidavit showing that he

113 or she was out of the state due to service in the Armed Forces
 114 of the United States at the time of license expiration is exempt
 115 from paying the delinquent fee, if the application for renewal
 116 is made within 15 months after the expiration of his or her
 117 license and within 90 days after the date of discharge or
 118 transfer to a military or naval establishment in this state as
 119 shown in the affidavit. However, such a person is not exempt
 120 from any reexamination requirement.

121 (7) Any veteran honorably discharged from the Armed Forces
 122 who has been issued a valid identification card by the
 123 Department of Veterans' Affairs in accordance with s. 295.17, or
 124 has been determined by the United States Department of Veterans
 125 Affairs or its predecessor to have a 100-percent total and
 126 permanent service-connected disability rating for compensation,
 127 or has been determined to have a service-connected total and
 128 permanent disability rating of 100 percent and is in receipt of
 129 disability retirement pay from any branch of the United States
 130 Armed Services, and who is qualified to obtain a driver's
 131 license under this chapter is exempt from all fees required by
 132 this section.

133 (8) Any person who applies for reinstatement following the
 134 suspension or revocation of the person's driver's license shall
 135 pay a service fee of \$45 ~~\$35~~ following a suspension, and \$75 ~~\$60~~
 136 following a revocation, which is in addition to the fee for a
 137 license. Any person who applies for reinstatement of a
 138 commercial driver's license following the disqualification of
 139 the person's privilege to operate a commercial motor vehicle
 140 shall pay a service fee of \$75 ~~\$60~~, which is in addition to the

141 fee for a license. The department shall collect all of these
 142 fees at the time of reinstatement. The department shall issue
 143 proper receipts for such fees and shall promptly transmit all
 144 funds received by it as follows:

145 (a) Of the \$45 ~~\$35~~ fee received from a licensee for
 146 reinstatement following a suspension, the department shall
 147 deposit \$15 in the General Revenue Fund and \$30 ~~\$20~~ in the
 148 Highway Safety Operating Trust Fund.

149 (b) Of the \$75 ~~\$60~~ fee received from a licensee for
 150 reinstatement following a revocation or disqualification, the
 151 department shall deposit \$35 in the General Revenue Fund and \$40
 152 ~~\$25~~ in the Highway Safety Operating Trust Fund.

153 (c) Of the driver's license reinstatement fee that is
 154 deposited into the Highway Safety Operating Trust Fund, \$15
 155 shall be used to establish a recruitment and retention salary
 156 payment plan for officers of the highway patrol. The Director of
 157 the Division of the Florida Highway Patrol may use the funds
 158 from the deposited reinstatement fees to structure a pay scale
 159 for highway patrol officers which is competitive with the
 160 average of the salaries of the six highest-paid law enforcement
 161 agencies in the state. The director may develop a pay scale for
 162 members of the highway patrol which is based on an officer's
 163 years of service with the patrol and his or her job performance
 164 with respect to established patrol-duty requirements.

165
 166 If the revocation or suspension of the driver's license was for
 167 a violation of s. 316.193, or for refusal to submit to a lawful
 168 breath, blood, or urine test, an additional fee of \$130 ~~\$115~~

169 must be charged. However, only one \$130 ~~\$115~~ fee may be
 170 collected from one person convicted of violations arising out of
 171 the same incident. The department shall collect the \$130 ~~\$115~~
 172 fee and deposit the fee into the Highway Safety Operating Trust
 173 Fund at the time of reinstatement of the person's driver's
 174 license, but the fee may not be collected if the suspension or
 175 revocation is overturned. If the revocation or suspension of the
 176 driver's license was for a conviction for a violation of s.
 177 817.234(8) or (9) or s. 817.505, an additional fee of \$180 is
 178 imposed for each offense. The department shall collect and
 179 deposit the additional fee into the Highway Safety Operating
 180 Trust Fund at the time of reinstatement of the person's driver's
 181 license.

182 Section 3. Subsection (2) of section 322.29, Florida
 183 Statutes, is amended to read:

184 322.29 Surrender and return of license.--

185 (2) The provisions of subsection (1) to the contrary
 186 notwithstanding, no examination is required for the return of a
 187 license suspended under s. 318.15 or s. 322.245 unless an
 188 examination is otherwise required by this chapter. Every person
 189 applying for the return of a license suspended under s. 318.15
 190 or s. 322.245 shall present to the department certification from
 191 the court that he or she has complied with all obligations and
 192 penalties imposed on him or her pursuant to s. 318.15 or, in the
 193 case of a suspension pursuant to s. 322.245, that he or she has
 194 complied with all directives of the court and the requirements
 195 of s. 322.245 and shall pay to the department a nonrefundable
 196 service fee of \$60 ~~\$47.50~~, of which \$37.50 shall be deposited

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197 into the General Revenue Fund and \$22.50 ~~\$10~~ shall be deposited
198 into the Highway Safety Operating Trust Fund. If reinstated by
199 the clerk of the court or tax collector, \$37.50 shall be
200 retained and \$22.50 ~~\$10~~ shall be remitted to the Department of
201 Revenue for deposit into the Highway Safety Operating Trust
202 Fund. However, the service fee is not required if the person is
203 required to pay a \$45 ~~\$35~~ fee or a \$75 ~~\$60~~ fee under the
204 provisions of s. 322.21.

205 Section 4. This act shall take effect January 1, 2009.