

By Senator Fasano

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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

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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 a
36 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 by
49 s. 1003.48; however, if an applicant has completed training and
50 is applying for employment or is currently employed in a public
51 or nonpublic school system that requires the commercial license,
52 the fee shall be the same as for a Class E driver's license. A
53 delinquent fee of \$1 shall be added for a renewal made not more
54 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.
57 1003.48; however, if an applicant has completed training and is
58 applying for employment or is currently employed in a public or

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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 include
66 | 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 routine
82 | work for the department in issuing and recording applications,
83 | licenses, and certificates of eligibility, including the
84 | receiving and accounting of all license funds and their payment
85 | into the State Treasury, and other incidental clerical work
86 | connected with the administration of this chapter. The department

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87 is authorized to use such electronic, mechanical, or other
88 devices as necessary to accomplish the purposes of this chapter.

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

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

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

109 (6) Any member of the Armed Forces or his or her spouse,
110 daughter, son, stepdaughter, or stepson, who holds a Florida
111 driver's license and who presents an affidavit showing that he or
112 she was out of the state due to service in the Armed Forces of
113 the United States at the time of license expiration is exempt
114 from paying the delinquent fee, if the application for renewal is
115 made within 15 months after the expiration of his or her license

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116 | and within 90 days after the date of discharge or transfer to a
117 | military or naval establishment in this state as shown in the
118 | affidavit. However, such a person is not exempt from any
119 | reexamination requirement.

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

131 | (8) Any person who applies for reinstatement following the
132 | suspension or revocation of the person's driver's license shall
133 | pay a service fee of \$45 ~~\$35~~ following a suspension, and \$75 ~~\$60~~
134 | following a revocation, which is in addition to the fee for a
135 | license. Any person who applies for reinstatement of a commercial
136 | driver's license following the disqualification of the person's
137 | privilege to operate a commercial motor vehicle shall pay a
138 | service fee of \$75 ~~\$60~~, which is in addition to the fee for a
139 | license. The department shall collect all of these fees at the
140 | time of reinstatement. The department shall issue proper receipts
141 | for such fees and shall promptly transmit all funds received by
142 | it as follows:

143 | (a) Of the \$45 ~~\$35~~ fee received from a licensee for
144 | reinstatement following a suspension, the department shall

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145 deposit \$15 in the General Revenue Fund and \$30 ~~\$20~~ in the
146 Highway Safety Operating Trust Fund.

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

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

163
164 If the revocation or suspension of the driver's license was for a
165 violation of s. 316.193, or for refusal to submit to a lawful
166 breath, blood, or urine test, an additional fee of \$130 ~~\$115~~ must
167 be charged. However, only one \$130 ~~\$115~~ fee may be collected from
168 one person convicted of violations arising out of the same
169 incident. The department shall collect the \$130 ~~\$115~~ fee and
170 deposit the fee into the Highway Safety Operating Trust Fund at
171 the time of reinstatement of the person's driver's license, but
172 the fee may not be collected if the suspension or revocation is
173 overturned. If the revocation or suspension of the driver's

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174 license was for a conviction for a violation of s. 817.234(8) or
175 (9) or s. 817.505, an additional fee of \$180 is imposed for each
176 offense. The department shall collect and deposit the additional
177 fee into the Highway Safety Operating Trust Fund at the time of
178 reinstatement of the person's driver's license.

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

181 322.29 Surrender and return of license.--

182 (2) The provisions of subsection (1) to the contrary
183 notwithstanding, no examination is required for the return of a
184 license suspended under s. 318.15 or s. 322.245 unless an
185 examination is otherwise required by this chapter. Every person
186 applying for the return of a license suspended under s. 318.15 or
187 s. 322.245 shall present to the department certification from the
188 court that he or she has complied with all obligations and
189 penalties imposed on him or her pursuant to s. 318.15 or, in the
190 case of a suspension pursuant to s. 322.245, that he or she has
191 complied with all directives of the court and the requirements of
192 s. 322.245 and shall pay to the department a nonrefundable
193 service fee of \$60 ~~\$47.50~~, of which \$37.50 shall be deposited
194 into the General Revenue Fund and \$22.50 ~~\$10~~ shall be deposited
195 into the Highway Safety Operating Trust Fund. If reinstated by
196 the clerk of the court or tax collector, \$37.50 shall be retained
197 and \$22.50 ~~\$10~~ shall be remitted to the Department of Revenue for
198 deposit into the Highway Safety Operating Trust Fund. However,
199 the service fee is not required if the person is required to pay
200 a \$45 ~~\$35~~ fee or a \$75 ~~\$60~~ fee under the provisions of s. 322.21.

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