



307112

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/14/2009	.	
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The Committee on Transportation (Baker) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause and insert:

Section 1. Present subsections (12) through (45) of section 322.01, Florida Statutes, are renumbered as subsections (13) through (46), respectively, and a new subsection (12) is added to that section, to read:

322.01 Definitions.—As used in this chapter:

(12) "County tax collector" means the tax collector, as defined in s. 192.001, when acting as an authorized agent of the



307112

12 department.

13 Section 2. Subsection (3) of section 322.051, Florida
14 Statutes, is amended to read:

15 322.051 Identification cards.—

16 (3) If an identification card issued under this section is
17 lost, destroyed, or mutilated or a new name is acquired, the
18 person to whom it was issued may obtain a duplicate upon
19 furnishing satisfactory proof of such fact to the department and
20 upon payment of the applicable fee required by s. 322.21 ~~a fee~~
21 ~~of \$10 for such duplicate, \$2.50 of which shall be deposited~~
22 ~~into the General Revenue Fund and \$7.50 into the Highway Safety~~
23 ~~Operating Trust Fund.~~ The fee shall include payment for the
24 color photograph or digital image of the applicant. Any person
25 who loses an identification card and who, after obtaining a
26 duplicate, finds the original card shall immediately surrender
27 the original card to the department. The same documentary
28 evidence shall be furnished for a duplicate as for an original
29 identification card.

30 Section 3. Subsection (2) of section 322.058, Florida
31 Statutes, is amended to read:

32 322.058 Suspension of driving privileges due to support
33 delinquency; reinstatement.—

34 (2) The department must reinstate the driving privilege and
35 allow registration of a motor vehicle when the person pays the
36 fees required by s. 322.21(8) and the Title IV-D agency in IV-D
37 cases or the depository or the clerk of the court in non-IV-D
38 cases provides to the department an affidavit stating that:

39 (a) The person has paid the delinquency;

40 (b) The person has reached a written agreement for payment



307112

41 with the Title IV-D agency or the obligee in non-IV-D cases;

42 (c) A court has entered an order granting relief to the
43 obligor ordering the reinstatement of the license and motor
44 vehicle registration; or

45 (d) The person has complied with the subpoena, order to
46 appear, order to show cause, or similar order.

47 Section 4. Subsections (1), (3), (5), and (8) of section
48 322.135, Florida Statutes, are amended to read:

49 322.135 Driver's license agents.—

50 (1) The department may, upon application, authorize any or
51 all of the tax collectors in the several counties of the state,
52 subject to the requirements of law, in accordance with rules of
53 the department, to serve as its agent for the provision of
54 specified driver's license services.

55 (a) These services shall be limited to the issuance of
56 driver's licenses and identification cards as authorized by this
57 chapter.

58 (b) Each tax collector who is authorized by the department
59 to provide driver's license services shall bear all costs
60 associated with providing those services.

61 (c) A fee of \$5.25 is to be charged, in addition to the
62 fees set forth in this chapter, for any driver's license
63 transaction administered ~~issued or renewed~~ by a tax collector.

64 (d) On July 1, 2013, and on July 1 every 5 years
65 thereafter, the fee in paragraph (c) shall be adjusted by the
66 percentage change in the Consumer Price Index for All Urban
67 Consumers since the fee was last adjusted, unless otherwise
68 provided by general law. The driver's license transaction fee
69 shall take effect July 1.



307112

70 (3) (a) Each tax collector shall keep a full and complete
71 record of all materials, records, and other properties received
72 by him or her from the department, or from any other source, and
73 shall make prompt remittance of moneys collected by him or her
74 at such times and in such manner as prescribed by law, in
75 accordance with departmental rules.

76 (b) A tax collector may establish one or more branch
77 offices by acquiring title to real property or by lease
78 agreement and may staff and equip such office, subject to budget
79 approval, as defined in s. 195.087(2), to perform the expressed
80 state duties as an agent of the department for his or her county
81 pursuant to s. 320.03 and this chapter.

82 (5) The county tax collector at his or her option may apply
83 to the department for approval by the executive director to be
84 the exclusive agent of the department for his or her county to
85 administer driver license services as provided and authorized in
86 this chapter. Tax collectors who are providing driver license
87 services may, by interlocal agreement, provide driver license
88 services in another tax collector's county in order to provide
89 efficient service and minimize the cost of service delivery.

90 (a) The application by the county tax collector shall be in
91 writing to the executive director of the department. The
92 application must be submitted by September 1 to be effective for
93 the state's subsequent fiscal year beginning July 1.

94 (b) The department shall provide a form for such
95 application, which shall include the following information:

96 1. Locations within the county where offices and branch
97 offices for driver license services are proposed.

98 2. The designation by the tax collector of the driver



307112

99 license functions to be performed by the tax collector in the
100 county.

101 3. Any anticipated capital acquisition or construction
102 costs.

103 4. A projection of equipment available or to be provided by
104 the department.

105 5. All anticipated operating costs, including facilities,
106 equipment, and personnel to administer driver license services.

107 (c) The department shall review applications on or before
108 September 1 of each year. The department shall compare the costs
109 included in the information submitted in the application with
110 the related costs incurred by the department to accomplish the
111 same level of services. The department shall approve or deny an
112 application within 60 calendar days after the application is
113 received unless the department and the applicant agree mutually
114 to a specific alternative date.

115 (d) The department may provide technical assistance to an
116 applicant upon request.

117 (8) The county tax collector, as the exclusive agent of the
118 Department of Highway Safety and Motor Vehicles, shall be paid
119 fees, as provided in this chapter, for driver license services,
120 in addition to the fee provided in paragraph (1)(c).

121 Section 5. Paragraph (a) of subsection (1) of section
122 322.17, Florida Statutes, is amended to read:

123 322.17 Replacement licenses and permits.—

124 (1) (a) In the event that an instruction permit or driver's
125 license issued under the provisions of this chapter is lost,
126 mutilated, or destroyed, the person to whom the same was issued
127 may, upon payment of the appropriate fee pursuant to s. 322.21,



307112

128 obtain a replacement upon furnishing proof satisfactory to the
129 department that such permit or license has been lost, mutilated,
130 or destroyed, and further furnishing the full name, date of
131 birth, sex, residence and mailing address, proof of birth
132 satisfactory to the department, and proof of identity
133 satisfactory to the department.

134 Section 6. Subsection (1) of section 322.21, Florida
135 Statutes, is amended to read:

136 322.21 License fees; procedure for handling and collecting
137 fees.—

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

139 (a) An original or renewal commercial driver's license is
140 \$75 ~~\$67~~, which shall include the fee for driver education
141 provided by s. 1003.48; however, if an applicant has completed
142 training and is applying for employment or is currently employed
143 in a public or nonpublic school system that requires the
144 commercial license, the fee shall be the same as for a Class E
145 driver's license. A delinquent fee of \$10 ~~\$1~~ shall be added for
146 a renewal made not more than 12 months after the license
147 expiration date.

148 (b) An original Class E driver's license is \$40 ~~\$27~~, which
149 shall include the fee for driver's education provided by s.
150 1003.48; however, if an applicant has completed training and is
151 applying for employment or is currently employed in a public or
152 nonpublic school system that requires a commercial driver
153 license, the fee shall be the same as for a Class E license. A
154 tax collector shall retain \$12 of the \$40 fee for issuing an
155 original Class E driver's license.

156 (c) The renewal or extension of a Class E driver's license



307112

157 or of a license restricted to motorcycle use only is \$20, except
158 that a delinquent fee of \$1 shall be added for a renewal or
159 extension made not more than 12 months after the license
160 expiration date. The fee provided in this paragraph shall
161 include the fee for driver's education provided by s. 1003.48.

162 (d) An original driver's license restricted to motorcycle
163 use only is \$27, which shall include the fee for driver's
164 education provided by s. 1003.48.

165 (e) A replacement driver's license issued pursuant to s.
166 322.17 is \$10. Of this amount \$7 shall be deposited into the
167 Highway Safety Operating Trust Fund and \$3 shall be deposited
168 into the General Revenue Fund.

169 (f) An original, renewal, or replacement identification
170 card issued pursuant to s. 322.051 is \$10. Funds collected from
171 these fees shall be distributed as follows:

172 1. For an original identification card issued pursuant to
173 s. 322.051 the fee shall be \$10. This amount shall be deposited
174 into the General Revenue Fund.

175 2. For a renewal identification card issued pursuant to s.
176 322.051 the fee shall be \$10. Of this amount, \$6 shall be
177 deposited into the Highway Safety Operating Trust Fund and \$4
178 shall be deposited into the General Revenue Fund.

179 3. For a replacement identification card issued pursuant to
180 s. 322.051 the fee shall be \$10. Of this amount, \$9 shall be
181 deposited into the Highway Safety Operating Trust Fund and \$1
182 shall be deposited into the General Revenue Fund.

183 (g) Each endorsement required by s. 322.57 is \$7.

184 (h) A hazardous-materials endorsement, as required by s.
185 322.57(1)(d), shall be set by the department by rule and shall



307112

186 reflect the cost of the required criminal history check,
187 including the cost of the state and federal fingerprint check,
188 and the cost to the department of providing and issuing the
189 license. The fee shall not exceed \$100. This fee shall be
190 deposited in the Highway Safety Operating Trust Fund. The
191 department may adopt rules to administer this section.

192 Section 7. Subsection (1) of section 322.29, Florida
193 Statutes, is amended to read:

194 322.29 Surrender and return of license.—

195 (1) The department, upon suspending or revoking a license,
196 shall require that such license be surrendered to the
197 department. At the end of the period of suspension, such license
198 so surrendered shall be returned, or a duplicate license issued,
199 to the licensee after the applicant has successfully passed the
200 vision, sign, and traffic law examinations and paid the
201 applicable fee pursuant to s. 322.21. In addition, pursuant to
202 s. 322.221, the department may require the licensee to
203 successfully complete a driving examination. The department is
204 prohibited from requiring the surrender of a license except as
205 authorized by this chapter.

206 Section 8. Subsection (4) of section 322.61, Florida
207 Statutes, is amended to read:

208 322.61 Disqualification from operating a commercial motor
209 vehicle.—

210 (4) Any person who is transporting hazardous materials as
211 defined in s. 322.01 ~~s. 322.01(24)~~ shall, upon conviction of an
212 offense specified in subsection (3), be disqualified from
213 operating a commercial motor vehicle for a period of 3 years.
214 The penalty provided in this subsection shall be in addition to



307112

215 any other applicable penalty.

216 Section 9. This act shall take effect July 1, 2009.

217

218 ===== T I T L E A M E N D M E N T =====

219 And the title is amended as follows:

220 Delete everything before the enacting clause
221 and insert:

222 A bill to be entitled
223 An act relating to driver's licenses; amending s.
224 322.01, F.S.; providing a definition; amending s.
225 322.051, F.S.; revising requirements for obtaining a
226 duplicate identification card; amending s. 322.058,
227 F.S.; providing for reinstatement of a person's
228 driving privilege and motor vehicle registration upon
229 payment of certain fees; amending s. 322.135, F.S.;
230 providing for the periodic adjustment of a service fee
231 for tax collectors; authorizing tax collectors to
232 establish branch offices; amending s. 322.17, F.S.;
233 providing for a replacement license or permit to
234 replace one that is mutilated; amending s. 322.21,
235 F.S.; authorizing county tax collectors to retain
236 certain fees and increasing such fees; amending s.
237 322.29, F.S.; clarifying provisions governing the
238 payment of fees upon the reinstatement of a license;
239 amending s. 322.61, F.S.; conforming a cross-
240 reference; providing an effective date.