

By the Committee on Transportation; and Senator Baker

596-05011A-09

20091528c1

1                   A bill to be entitled  
2           An act relating to driver's licenses; amending s.  
3           322.01, F.S.; providing a definition; amending s.  
4           322.051, F.S.; revising requirements for obtaining a  
5           duplicate identification card; amending s. 322.058,  
6           F.S.; providing for reinstatement of a person's  
7           driving privilege and motor vehicle registration upon  
8           payment of certain fees; amending s. 322.135, F.S.;  
9           authorizing tax collectors to establish branch  
10          offices; amending s. 322.17, F.S.; providing for a  
11          replacement license or permit to replace one that is  
12          mutilated; amending s. 322.21, F.S.; authorizing  
13          county tax collectors to retain certain fees; amending  
14          s. 322.29, F.S.; clarifying provisions governing the  
15          payment of fees upon the reinstatement of a license;  
16          amending s. 322.61, F.S.; conforming a cross-  
17          reference; providing an effective date.

18  
19 Be It Enacted by the Legislature of the State of Florida:

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21           Section 1. Present subsections (12) through (45) of section  
22           322.01, Florida Statutes, are renumbered as subsections (13)  
23           through (46), respectively, and a new subsection (12) is added  
24           to that section, to read:

25           322.01 Definitions.—As used in this chapter:

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

29           Section 2. Subsection (3) of section 322.051, Florida

596-05011A-09

20091528c1

30 Statutes, is amended to read:

31 322.051 Identification cards.—

32 (3) If an identification card issued under this section is  
33 lost, destroyed, or mutilated or a new name is acquired, the  
34 person to whom it was issued may obtain a duplicate upon  
35 furnishing satisfactory proof of such fact to the department and  
36 upon payment of the applicable fee required by s. 322.21 ~~a fee~~  
37 ~~of \$10 for such duplicate, \$2.50 of which shall be deposited~~  
38 ~~into the General Revenue Fund and \$7.50 into the Highway Safety~~  
39 ~~Operating Trust Fund.~~ The fee shall include payment for the  
40 color photograph or digital image of the applicant. Any person  
41 who loses an identification card and who, after obtaining a  
42 duplicate, finds the original card shall immediately surrender  
43 the original card to the department. The same documentary  
44 evidence shall be furnished for a duplicate as for an original  
45 identification card.

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

48 322.058 Suspension of driving privileges due to support  
49 delinquency; reinstatement.—

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

55 (a) The person has paid the delinquency;

56 (b) The person has reached a written agreement for payment  
57 with the Title IV-D agency or the obligee in non-IV-D cases;

58 (c) A court has entered an order granting relief to the

596-05011A-09

20091528c1

59 obligor ordering the reinstatement of the license and motor  
60 vehicle registration; or

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

63 Section 4. Subsections (1), (3), (5), and (8) of section  
64 322.135, Florida Statutes, are amended to read:

65 322.135 Driver's license agents.—

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

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

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

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

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

86 (b) A tax collector may establish one or more branch  
87 offices by acquiring title to real property or by lease

596-05011A-09

20091528c1

88 agreement and may staff and equip such office, subject to budget  
89 approval, as defined in s. 195.087(2), to perform the expressed  
90 state duties as an agent of the department for his or her county  
91 pursuant to s. 320.03 and this chapter.

92 (5) The county tax collector at his or her option may apply  
93 to the department for approval by the executive director to be  
94 the exclusive agent of the department for his or her county to  
95 administer driver license services as provided and authorized in  
96 this chapter. Tax collectors who are providing driver license  
97 services may, by interlocal agreement, provide driver license  
98 services in another tax collector's county in order to provide  
99 efficient service and minimize the cost of service delivery.

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

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

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

108 2. The designation by the tax collector of the driver  
109 license functions to be performed by the tax collector in the  
110 county.

111 3. Any anticipated capital acquisition or construction  
112 costs.

113 4. A projection of equipment available or to be provided by  
114 the department.

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

596-05011A-09

20091528c1

117 (c) The department shall review applications on or before  
118 September 1 of each year. The department shall compare the costs  
119 included in the information submitted in the application with  
120 the related costs incurred by the department to accomplish the  
121 same level of services. The department shall approve or deny an  
122 application within 60 calendar days after the application is  
123 received unless the department and the applicant agree mutually  
124 to a specific alternative date.

125 (d) The department may provide technical assistance to an  
126 applicant upon request.

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

131 Section 5. Paragraph (a) of subsection (1) of section  
132 322.17, Florida Statutes, is amended to read:

133 322.17 Replacement licenses and permits.—

134 (1)(a) In the event that an instruction permit or driver's  
135 license issued under the provisions of this chapter is lost,  
136 mutilated, or destroyed, the person to whom the same was issued  
137 may, upon payment of the appropriate fee pursuant to s. 322.21,  
138 obtain a replacement upon furnishing proof satisfactory to the  
139 department that such permit or license has been lost, mutilated,  
140 or destroyed, and further furnishing the full name, date of  
141 birth, sex, residence and mailing address, proof of birth  
142 satisfactory to the department, and proof of identity  
143 satisfactory to the department.

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

596-05011A-09

20091528c1

146           322.21 License fees; procedure for handling and collecting  
147 fees.—

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

149           (a) An original or renewal commercial driver's license is  
150 \$75 ~~\$67~~, which shall include the fee for driver education  
151 provided by s. 1003.48; however, if an applicant has completed  
152 training and is applying for employment or is currently employed  
153 in a public or nonpublic school system that requires the  
154 commercial license, the fee shall be the same as for a Class E  
155 driver's license. A delinquent fee of \$10 ~~\$1~~ shall be added for  
156 a renewal made not more than 12 months after the license  
157 expiration date.

158           (b) An original Class E driver's license is \$40 ~~\$27~~, which  
159 shall include the fee for driver's education provided by s.  
160 1003.48; however, if an applicant has completed training and is  
161 applying for employment or is currently employed in a public or  
162 nonpublic school system that requires a commercial driver  
163 license, the fee shall be the same as for a Class E license. A  
164 tax collector shall retain \$12 of the \$40 fee for issuing an  
165 original Class E driver's license.

166           (c) The renewal or extension of a Class E driver's license  
167 or of a license restricted to motorcycle use only is \$20, except  
168 that a delinquent fee of \$1 shall be added for a renewal or  
169 extension made not more than 12 months after the license  
170 expiration date. The fee provided in this paragraph shall  
171 include the fee for driver's education provided by s. 1003.48.

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

596-05011A-09

20091528c1

175 (e) A replacement driver's license issued pursuant to s.  
176 322.17 is \$10. Of this amount \$7 shall be deposited into the  
177 Highway Safety Operating Trust Fund and \$3 shall be deposited  
178 into the General Revenue Fund.

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

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

185 2. For a renewal identification card issued pursuant to s.  
186 322.051 the fee shall be \$10. Of this amount, \$6 shall be  
187 deposited into the Highway Safety Operating Trust Fund and \$4  
188 shall be deposited into the General Revenue Fund.

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

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

194 (h) A hazardous-materials endorsement, as required by s.  
195 322.57(1)(d), shall be set by the department by rule and shall  
196 reflect the cost of the required criminal history check,  
197 including the cost of the state and federal fingerprint check,  
198 and the cost to the department of providing and issuing the  
199 license. The fee shall not exceed \$100. This fee shall be  
200 deposited in the Highway Safety Operating Trust Fund. The  
201 department may adopt rules to administer this section.

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

596-05011A-09

20091528c1

204           322.29 Surrender and return of license.—

205           (1) The department, upon suspending or revoking a license,  
206 shall require that such license be surrendered to the  
207 department. At the end of the period of suspension, such license  
208 so surrendered shall be returned, or a duplicate license issued,  
209 to the licensee after the applicant has successfully passed the  
210 vision, sign, and traffic law examinations and paid the  
211 applicable fee pursuant to s. 322.21. In addition, pursuant to  
212 s. 322.221, the department may require the licensee to  
213 successfully complete a driving examination. The department is  
214 prohibited from requiring the surrender of a license except as  
215 authorized by this chapter.

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

218           322.61 Disqualification from operating a commercial motor  
219 vehicle.—

220           (4) Any person who is transporting hazardous materials as  
221 defined in s. 322.01 ~~s. 322.01(24)~~ shall, upon conviction of an  
222 offense specified in subsection (3), be disqualified from  
223 operating a commercial motor vehicle for a period of 3 years.  
224 The penalty provided in this subsection shall be in addition to  
225 any other applicable penalty.

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