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LEGISLATIVE ACTION

Senate

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House

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Floor: 1/AD/2R

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04/15/2010 11:32 AM

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Senator Negron moved the following:

Senate Amendment

Delete lines 37 - 39

and insert:

Section 2. Section 322.08, Florida Statutes, is amended to read:

322.08 Application for license; requirements for license and identification card forms.—

(1) Each application for a driver's license shall be made in a format designated by the department and sworn to or affirmed by the applicant as to the truth of the statements made in the application.



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14 (2) Each such application shall include the following
15 information regarding the applicant:

16 (a) Full name (first, middle or maiden, and last), gender,
17 proof of social security card number satisfactory to the
18 department, county of residence, mailing address, proof of
19 residential address satisfactory to the department, country of
20 birth, and a brief description.

21 (b) Proof of birth date satisfactory to the department.

22 (c) Proof of identity satisfactory to the department. Such
23 proof must include one of the following documents issued to the
24 applicant:

25 1. A driver's license record or identification card record
26 from another jurisdiction that required the applicant to submit
27 a document for identification which is substantially similar to
28 a document required under subparagraph 2., subparagraph 3.,
29 subparagraph 4., subparagraph 5., subparagraph 6., subparagraph
30 7., or subparagraph 8.;

31 2. A certified copy of a United States birth certificate;

32 3. A valid, unexpired United States passport;

33 4. A naturalization certificate issued by the United States
34 Department of Homeland Security;

35 5. A valid, unexpired alien registration receipt card
36 (green card);

37 6. A Consular Report of Birth Abroad provided by the United
38 States Department of State;

39 7. An unexpired employment authorization card issued by the
40 United States Department of Homeland Security; or

41 8. Proof of nonimmigrant classification provided by the
42 United States Department of Homeland Security, for an original



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43 driver's license. In order to prove nonimmigrant classification,
44 an applicant may produce the following documents, including, but
45 not limited to:

46 a. A notice of hearing from an immigration court scheduling
47 a hearing on any proceeding.

48 b. A notice from the Board of Immigration Appeals
49 acknowledging pendency of an appeal.

50 c. A notice of the approval of an application for
51 adjustment of status issued by the United States Bureau of
52 Citizenship and Immigration Services.

53 d. Any official documentation confirming the filing of a
54 petition for asylum or refugee status or any other relief issued
55 by the United States Bureau of Citizenship and Immigration
56 Services.

57 e. A notice of action transferring any pending matter from
58 another jurisdiction to this state issued by the United States
59 Bureau of Citizenship and Immigration Services.

60 f. An order of an immigration judge or immigration officer
61 granting any relief that authorizes the alien to live and work
62 in the United States, including, but not limited to, asylum.

63 g. Evidence that an application is pending for adjustment
64 of status to that of an alien lawfully admitted for permanent
65 residence in the United States or conditional permanent resident
66 status in the United States, if a visa number is available
67 having a current priority date for processing by the United
68 States Bureau of Citizenship and Immigration Services.

69 h. On or after January 1, 2010, an unexpired foreign
70 passport with an unexpired United States Visa affixed,
71 accompanied by an approved I-94, documenting the most recent



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72 admittance into the United States.

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74 Presentation of any of the documents in subparagraph 7. or
75 subparagraph 8. entitles the applicant to a driver's license or
76 temporary permit for a period not to exceed the expiration date
77 of the document presented or 1 year, whichever occurs first.

78 (d) Whether the applicant has previously been licensed to
79 drive, and, if so, when and by what state, and whether any such
80 license or driving privilege has ever been disqualified,
81 revoked, or suspended, or whether an application has ever been
82 refused, and, if so, the date of and reason for such
83 disqualification, suspension, revocation, or refusal.

84 (e) Each such application may include fingerprints and
85 other unique biometric means of identity.

86 (3) Each such application shall include a consent to
87 release driving record information, entitling the department to
88 request, receive, and exchange such information with other
89 jurisdictions.

90 (4) In addition to the requirements of subsections (1),
91 (2), and (3), each application for a commercial driver's license
92 shall include a certification as to whether the applicant is
93 required by federal or state law to undergo biennial physical
94 examinations and other certifications required by the
95 department.

96 (5) The department may not issue a driver's license to a
97 person who has never been issued a driver's license in any
98 jurisdiction until he or she successfully completes the traffic
99 law and substance abuse education course prescribed in s.

100 322.095.



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101 (6) The department may not issue a driver's license or
102 identification card, as described in s. 322.051, to an applicant
103 if the applicant holds a valid driver's license or
104 identification card issued by any state.