



1 A bill to be entitled

2 An act relating to requirements for driver licenses;  
3 amending s. 322.08, F.S.; including notice of the  
4 approval of an application for Deferred Action for  
5 Childhood Arrivals status issued by United States  
6 Citizenship and Immigration Services as valid proof of  
7 identity for purposes of applying for a driver  
8 license; reenacting ss. 322.17(3), 322.18(2)(d) and  
9 (4)(c), and 322.19(4), F.S., relating to conditions  
10 and limitations with respect to obtaining a duplicate  
11 or replacement instruction permit or driver license,  
12 expiration of and renewal of a driver license, and  
13 change of name or address on a driver license for  
14 licensees who establish their identity in a specified  
15 manner, to incorporate the amendments made by the act  
16 to s. 322.08, F.S., in references thereto; providing  
17 an effective date.

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

20  
21 Section 1. Paragraph (c) of subsection (2) of section  
22 322.08, Florida Statutes, is amended to read:

23 322.08 Application for license; requirements for license  
24 and identification card forms.—

25 (2) Each such application shall include the following  
26 information regarding the applicant:

27 (c) Proof of identity satisfactory to the department. Such  
28 proof must include one of the following documents issued to the



29 applicant:

30 1. A driver license record or identification card record  
31 from another jurisdiction that required the applicant to submit  
32 a document for identification which is substantially similar to  
33 a document required under subparagraph 2., subparagraph 3.,  
34 subparagraph 4., subparagraph 5., subparagraph 6., subparagraph  
35 7., or subparagraph 8.;

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

37 3. A valid, unexpired United States passport;

38 4. A naturalization certificate issued by the United  
39 States Department of Homeland Security;

40 5. A valid, unexpired alien registration receipt card  
41 (green card);

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

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

46 8. Proof of nonimmigrant classification provided by the  
47 United States Department of Homeland Security, for an original  
48 driver license. In order to prove nonimmigrant classification,  
49 an applicant must provide at least one of the following  
50 documents. In addition, the department may require applicants to  
51 produce United States Department of Homeland Security documents  
52 for the sole purpose of establishing the maintenance of, or  
53 efforts to maintain, continuous lawful presence:

54 a. A notice of hearing from an immigration court  
55 scheduling a hearing on any proceeding.

56 b. A notice from the Board of Immigration Appeals



57 | acknowledging pendency of an appeal.

58 |       c. A notice of the approval of an application for  
59 | adjustment of status issued by the United States Bureau of  
60 | Citizenship and Immigration Services.

61 |       d. An official documentation confirming the filing of a  
62 | petition for asylum or refugee status or any other relief issued  
63 | by the United States Bureau  
64 | of Citizenship and Immigration Services.

65 |       e. A notice of action transferring any pending matter from  
66 | another jurisdiction to this state issued by the United States  
67 | Bureau of Citizenship and Immigration Services.

68 |       f. An order of an immigration judge or immigration officer  
69 | granting relief that authorizes the alien to live and work in  
70 | the United States, including, but not limited to, asylum.

71 |       g. Evidence that an application is pending for adjustment  
72 | of status to that of an alien lawfully admitted for permanent  
73 | residence in the United States or conditional permanent resident  
74 | status in the United States, if a visa number is available  
75 | having a current priority date for processing by the United  
76 | States Bureau of Citizenship and Immigration Services.

77 |       h. On or after January 1, 2010, an unexpired foreign  
78 | passport with an unexpired United States Visa affixed,  
79 | accompanied by an approved I-94, documenting the most recent  
80 | admittance into the United States.

81 |       i. A notice of the approval of an application for Deferred  
82 | Action for Childhood Arrivals status issued by United States  
83 | Citizenship and Immigration Services.

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HB 235, Engrossed 1

2013

85 A driver license or temporary permit issued based on documents  
86 required in subparagraph 7. or subparagraph 8. is valid for a  
87 period not to exceed the expiration date of the document  
88 presented or 1 year.

89 Section 2. For the purpose of incorporating the amendment  
90 made by this act to section 322.08, Florida Statutes, in  
91 references thereto, subsection (3) of section 322.17, Florida  
92 Statutes, is reenacted to read:

93 322.17 Replacement licenses and permits.—

94 (3) Notwithstanding any other provisions of this chapter,  
95 if a licensee establishes his or her identity for a driver's  
96 license using an identification document authorized under s.  
97 322.08(2)(c)7. or 8., the licensee may not obtain a duplicate or  
98 replacement instruction permit or driver's license except in  
99 person and upon submission of an identification document  
100 authorized under s. 322.08(2)(c)7. or 8.

101 Section 3. For the purpose of incorporating the amendment  
102 made by this act to section 322.08, Florida Statutes, in  
103 references thereto, paragraph (d) of subsection (2) and  
104 paragraph (c) of subsection (4) of section 322.18, Florida  
105 Statutes, is reenacted to read:

106 322.18 Original applications, licenses, and renewals;  
107 expiration of licenses; delinquent licenses.—

108 (2) Each applicant who is entitled to the issuance of a  
109 driver's license, as provided in this section, shall be issued a  
110 driver's license, as follows:

111 (d) Notwithstanding any other provision of this chapter,  
112 if an applicant establishes his or her identity for a driver's



HB 235, Engrossed 1

2013

113 license using a document authorized in s. 322.08(2)(c)7. or 8.,  
114 the driver's license shall expire 1 year after the date of  
115 issuance or upon the expiration date cited on the United States  
116 Department of Homeland Security documents, whichever date first  
117 occurs.

118 (4)

119 (c) Notwithstanding any other provision of this chapter,  
120 if a licensee establishes his or her identity for a driver's  
121 license using an identification document authorized under s.  
122 322.08(2)(c)7. or 8., the licensee may not renew the driver's  
123 license except in person and upon submission of an  
124 identification document authorized under s. 322.08(2)(c)7. or 8.  
125 A driver's license renewed under this paragraph expires 1 year  
126 after the date of issuance or upon the expiration date cited on  
127 the United States Department of Homeland Security documents,  
128 whichever date first occurs.

129 Section 4. For the purpose of incorporating the amendment  
130 made by this act to section 322.08, Florida Statutes, in  
131 references thereto, subsection (4) of section 322.19, Florida  
132 Statutes, is reenacted to read:

133 322.19 Change of address or name.—

134 (4) Notwithstanding any other provision of this chapter,  
135 if a licensee established his or her identity for a driver's  
136 license using an identification document authorized under s.  
137 322.08(2)(c)7. or 8., the licensee may not change his or her  
138 name or address except in person and upon submission of an  
139 identification document authorized under s. 322.08(2)(c)7. or 8.

140 Section 5. This act shall take effect July 1, 2013.