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LEGISLATIVE ACTION

Senate

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House

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Floor: 6/F/2R

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05/01/2014 02:44 PM

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Senator Soto moved the following:

Senate Amendment (with title amendment)

Delete lines 1263 - 1305

and insert:

Section 26. Paragraph (c) of subsection (2) of section 322.08, Florida Statutes, is amended to read:

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

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

(c) Proof of identity satisfactory to the department. Such



12 proof must include one of the following documents issued to the
13 applicant:

14 1. A driver license record or identification card record
15 from another jurisdiction that required the applicant to submit
16 a document for identification which is substantially similar to
17 a document required under subparagraph 2., subparagraph 3.,
18 subparagraph 4., subparagraph 5., subparagraph 6., subparagraph
19 7., or subparagraph 8.;

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

21 3. A valid, unexpired United States passport;

22 4. A naturalization certificate issued by the United States
23 Department of Homeland Security;

24 5. A valid, unexpired alien registration receipt card
25 (green card);

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

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

30 8. Proof of nonimmigrant classification provided by the
31 United States Department of Homeland Security, for an original
32 driver license. In order to prove nonimmigrant classification,
33 an applicant must provide at least one of the following
34 documents. In addition, the department may require applicants to
35 produce United States Department of Homeland Security documents
36 for the sole purpose of establishing the maintenance of, or
37 efforts to maintain, continuous lawful presence:

38 a. A notice of hearing from an immigration court scheduling
39 a hearing on any proceeding.

40 b. A notice from the Board of Immigration Appeals



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41 acknowledging pendency of an appeal.

42 c. A notice of the approval of an application for
43 adjustment of status issued by the United States Bureau of
44 Citizenship and Immigration Services.

45 d. An official documentation confirming the filing of a
46 petition for asylum or refugee status or any other relief issued
47 by the United States Bureau of Citizenship and Immigration
48 Services.

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

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

55 g. Evidence that an application is pending for adjustment
56 of status to that of an alien lawfully admitted for permanent
57 residence in the United States or conditional permanent resident
58 status in the United States, if a visa number is available
59 having a current priority date for processing by the United
60 States Bureau of Citizenship and Immigration Services.

61 h. On or after January 1, 2010, an unexpired foreign
62 passport with an unexpired United States Visa affixed,
63 accompanied by an approved I-94, documenting the most recent
64 admittance into the United States.

65 i. An employment authorization document issued by United
66 States Citizenship and Immigration Services.

67
68 A driver license or temporary permit issued based on documents
69 required in subparagraph 7. or subparagraph 8. is valid for a



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70 period not to exceed the expiration date of the document
71 presented or 1 year.

72 Section 27. Subsection (3) of section 322.141, Florida
73 Statutes, is amended to read:

74 322.141 Color or markings of certain licenses or
75 identification cards.—

76 (3) All licenses for the operation of motor vehicles or
77 identification cards originally issued or reissued by the
78 department to persons who are designated as sexual predators
79 under s. 775.21 or subject to registration as sexual offenders
80 under s. 943.0435 or s. 944.607, or who have a similar
81 designation or are subject to a similar registration under the
82 laws of another jurisdiction, shall have on the front of the
83 license or identification card the following:

84 (a) For a person designated as a sexual predator under s.
85 775.21 or who has a similar designation under the laws of
86 another jurisdiction, the marking "SEXUAL PREDATOR." ~~"775.21,~~
87 ~~F.S."~~

88 (b) For a person subject to registration as a sexual
89 offender under s. 943.0435 or s. 944.607, or subject to a
90 similar registration under the laws of another jurisdiction, the
91 marking "943.0435, F.S."

92 Section 28. Present subsection (9) of section 322.143,
93 Florida Statutes, is renumbered as subsection (10), and a new
94 subsection (9) is added to that section, to read:

95 322.143 Use of a driver license or identification card.—

96 (9) A first responder, emergency medical technician, or
97 other authorized health care practitioner engaged in immediate
98 emergency or other medical treatment may swipe an individual's



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99 driver license or identification card to access medical
100 information held by a third party when available and authorized
101 through a previously arranged consent agreement.

102 Section 29. Subsection (1) of section 322.15, Florida
103 Statutes, is amended to read:

104 322.15 License to be carried and exhibited on demand;
105 fingerprint to be imprinted upon a citation.-

106 (1) Every licensee shall have his or her driver ~~driver's~~
107 license, which must be fully legible with no portion of such
108 license faded, altered, mutilated, or defaced, in his or her
109 immediate possession at all times when operating a motor vehicle
110 and shall present or submit ~~display~~ the same upon the demand of
111 a law enforcement officer or an authorized representative of the
112 department. A licensee may present or submit a digital proof of
113 driver license as provided in s. 322.032 in lieu of a physical
114 driver license.

115 Section 30. For the purpose of incorporating the amendment
116 made by this act to section 322.08, Florida Statutes, in
117 references thereto, subsection (3) of section 322.17, Florida
118 Statutes, is reenacted to read:

119 322.17 Replacement licenses and permits.-

120 (3) Notwithstanding any other provisions of this chapter,
121 if a licensee establishes his or her identity for a driver's
122 license using an identification document authorized under s.
123 322.08(2)(c)7. or 8., the licensee may not obtain a duplicate or
124 replacement instruction permit or driver's license except in
125 person and upon submission of an identification document
126 authorized under s. 322.08(2)(c)7. or 8.

127 Section 31. For the purpose of incorporating the amendment



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128 made by this act to section 322.08, Florida Statutes, in
129 references thereto, paragraph (d) of subsection (2) and
130 paragraph (c) of subsection (4) of section 322.18, Florida
131 Statutes, are reenacted to read:

132 322.18 Original applications, licenses, and renewals;
133 expiration of licenses; delinquent licenses.—

134 (2) Each applicant who is entitled to the issuance of a
135 driver license, as provided in this section, shall be issued a
136 driver license, as follows:

137 (d) Notwithstanding any other provision of this chapter, if
138 an applicant establishes his or her identity for a driver
139 license using a document authorized in s. 322.08(2)(c)7. or 8.,
140 the driver license shall expire 1 year after the date of
141 issuance or upon the expiration date cited on the United States
142 Department of Homeland Security documents, whichever date first
143 occurs.

144 (4)

145 (c) Notwithstanding any other provision of this chapter, if
146 a licensee establishes his or her identity for a driver license
147 using an identification document authorized under s.

148 322.08(2)(c)7. or 8., the licensee may not renew the driver
149 license except in person and upon submission of an
150 identification document authorized under s. 322.08(2)(c)7. or 8.
151 A driver license renewed under this paragraph expires 1 year
152 after the date of issuance or upon the expiration date cited on
153 the United States Department of Homeland Security documents,
154 whichever date first occurs.

155 Section 32. For the purpose of incorporating the amendment
156 made by this act to section 322.08, Florida Statutes, in



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157 references thereto, subsection (4) of section 322.19, Florida
158 Statutes, is reenacted to read:

159 322.19 Change of address or name.—

160 (4) Notwithstanding any other provision of this chapter, if
161 a licensee established his or her identity for a driver's
162 license using an identification document authorized under s.
163 322.08(2)(c)7. or 8., the licensee may not change his or her
164 name or address except in person and upon submission of an
165 identification document authorized under s. 322.08(2)(c)7. or 8.
166

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

168 And the title is amended as follows:

169 Delete lines 131 - 144

170 and insert:

171 suspended; amending s. 322.08, F.S.; including an
172 employment authorization document issued by United
173 States Citizenship and Immigration Services as valid
174 proof of identity for purposes of applying for a
175 driver license; amending s. 322.141, F.S.; revising
176 requirements for special markings on driver licenses
177 and state identification cards for persons designated
178 as sexual predators or subject to registration as
179 sexual offenders to include persons so designated or
180 subject to registration under the laws of another
181 jurisdiction; amending s. 322.143, F.S.; providing for
182 a first responder, emergency medical technician, or
183 other authorized health care practitioner to access
184 medical information through use of a person's driver
185 license or identification card under certain



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186 conditions; amending s. 322.15, F.S.; authorizing a
187 digital proof of driver license to be accepted in lieu
188 of a physical driver license; reenacting ss.
189 322.17(3), 322.18(2)(d) and (4)(c), and 322.19(4),
190 F.S., relating to conditions and limitations with
191 respect to obtaining a duplicate or replacement
192 instruction permit or driver license, expiration of
193 and renewal of a driver license, and change of name or
194 address on a driver license for licensees who
195 establish their identity in a specified manner, to
196 incorporate the amendment made by the act to s.
197 322.08, F.S., in references thereto; amending s.
198 322.27,