

1 A bill to be entitled
2 An act relating to the Department of Highway Safety
3 and Motor Vehicles; amending s. 316.613, F.S.;
4 revising exemptions from using a certain child
5 restraint device; revising the definition of the term
6 "motor vehicle" for purposes of child restraint
7 requirements; amending s. 318.1215, F.S.; revising the
8 amount of a fee that a clerk of court may be required
9 to collect with each civil traffic penalty; amending
10 s. 320.02, F.S.; providing exceptions to a requirement
11 that the owner of a motor vehicle notify the
12 department of a change of address within a specified
13 time period; revising such time period; amending ss.
14 322.051 and 322.21, F.S.; providing for the issuance
15 of identification cards at no charge to certain
16 persons in the custody or under the supervision of the
17 Department of Juvenile Justice; requiring certain
18 identification cards to be processed by the Department
19 of Highway Safety and Motor Vehicles' mobile issuing
20 units; amending s. 322.19, F.S.; providing exceptions
21 to a requirement that a person obtain a replacement
22 driver license reflecting a change of name within a
23 specified time period; revising the time period for
24 obtaining a replacement license reflecting certain
25 changes of information; requiring certain persons to
26 obtain a replacement identification card reflecting a

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27 change of name within a specified time period;
28 amending s. 322.221, F.S.; directing the department to
29 issue an identification card at no cost to a person
30 whose driver license is suspended or revoked due to a
31 physical or mental condition; providing an effective
32 date.

33

34 Be It Enacted by the Legislature of the State of Florida:

35

36 Section 1. Paragraph (a) of subsection (1) and paragraph
37 (b) of subsection (2) of section 316.613, Florida Statutes, are
38 amended to read:

39 316.613 Child restraint requirements.—

40 (1) (a) Every operator of a motor vehicle as defined in
41 this section, while transporting a child in a motor vehicle
42 operated on the roadways, streets, or highways of this state,
43 shall, if the child is 5 years of age or younger, provide for
44 protection of the child by properly using a crash-tested,
45 federally approved child restraint device.

46 1. For children aged through 3 years, such restraint
47 device must be a separate carrier or a vehicle manufacturer's
48 integrated child seat.

49 2. For children aged 4 through 5 years, a separate
50 carrier, an integrated child seat, or a child booster seat may
51 be used. However, the requirement to use a child restraint
52 device under this subparagraph does not apply when a safety belt

53 is used as required in s. 316.614(4) (a) and the child:

54 a. Is being transported gratuitously by an operator who is
55 not a member of the child's immediate family;

56 b. Is being transported in a medical emergency situation
57 involving the child; ~~or~~

58 c. Is being transported by a child care facility, family
59 day care home, or large family child care home as those terms
60 are defined in s. 402.302; an after-school program not requiring
61 licensure pursuant to chapter 402; a child care facility exempt
62 from licensure pursuant to s. 402.316; or an entity excluded
63 from the definition of child care facility pursuant to s.
64 402.302(2); or

65 d. Has a medical condition that necessitates an exception
66 as evidenced by appropriate documentation from a health care
67 professional.

68 (2) As used in this section, the term "motor vehicle"
69 means a motor vehicle as defined in s. 316.003 that is operated
70 on the roadways, streets, and highways of the state. The term
71 does not include:

72 (b) A bus used for the transportation of persons for
73 compensation, ~~other than a bus regularly used to transport~~
74 ~~children to or from school, as defined in s. 316.615(1) (b), or~~
75 ~~in conjunction with school activities.~~

76 Section 2. Section 318.1215, Florida Statutes, is amended
77 to read:

318.1215 Dori Slosberg Driver Education Safety Act.—
Notwithstanding ~~the provisions of~~ s. 318.121, a board of county
commissioners may require, by ordinance, that the clerk of the
court collect an additional \$7 ~~\$5~~ with each civil traffic
penalty, which shall be used to fund driver education programs
in public and nonpublic schools. The ordinance shall provide for
the board of county commissioners to administer the funds, which
shall be used for enhancement, and not replacement, of driver
education program funds. The funds shall be used for direct
educational expenses and shall not be used for administration.
Each driver education program receiving funds pursuant to this
section shall require that a minimum of 30 percent of a
student's time in the program be behind-the-wheel training. This
section may be cited as the "Dori Slosberg Driver Education
Safety Act."

Section 3. Subsection (4) of section 320.02, Florida
Statutes, is amended to read:

320.02 Registration required; application for
registration; forms.—

(4) Except for a person subject to s. 775.21, s. 775.261,
s. 943.0435, s. 944.607, or s. 985.4815, the owner of any motor
vehicle registered in the state shall notify the department in
writing of any change of address within 30 ~~20~~ days after ~~of~~ such
change. The notification shall include the registration license
plate number, the vehicle identification number (VIN) or title
certificate number, year of vehicle make, and the owner's full

104 name.

105 Section 4. Subsection (9) of section 322.051, Florida
 106 Statutes, is amended to read:

107 322.051 Identification cards.—

108 (9) Notwithstanding any other provision of this section or
 109 s. 322.21 to the contrary, the department shall issue or renew a
 110 card at no charge to a person who presents evidence satisfactory
 111 to the department that he or she is homeless as defined in s.
 112 414.0252(7), to a juvenile offender who is in the custody or
 113 under the supervision of the Department of Juvenile Justice and
 114 receiving services pursuant to s. 985.461, to an inmate
 115 receiving a card issued pursuant to s. 944.605(7), or, if
 116 necessary, to an inmate receiving a replacement card if the
 117 department determines that he or she has a valid state
 118 identification card. If the replacement state identification
 119 card is scheduled to expire within 6 months, the department may
 120 also issue a temporary permit valid for at least 6 months after
 121 the release date. The department's mobile issuing units shall
 122 process the identification cards for juvenile offenders and
 123 inmates at no charge, as provided by s. 944.605(7)(a) and (b).

124 Section 5. Subsections (1) and (2) of section 322.19,
 125 Florida Statutes, are amended to read:

126 322.19 Change of address or name.—

127 (1) Except as provided in s. 775.21, s. 775.261, s.
 128 943.0435, s. 944.607, or s. 985.4815, whenever any person, after
 129 applying for or receiving a driver license or identification

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130 card, changes his or her legal name, that person must within 30
131 ~~40~~ days thereafter obtain a replacement license or card that
132 reflects the change.

133 (2) If a ~~Whenever~~ any person, after applying for or
134 receiving a driver license or identification card, changes the
135 legal residence or mailing address in the application, ~~or~~
136 license, or card, the person must, within 30 ~~40~~ calendar days
137 after making the change, obtain a replacement license or card
138 that reflects the change. A written request to the department
139 must include the old and new addresses and the driver license or
140 identification card number. Any person who has a valid, current
141 student identification card issued by an educational institution
142 in this state is presumed not to have changed his or her legal
143 residence or mailing address. This subsection does not affect
144 any person required to register a permanent or temporary address
145 change pursuant to s. 775.13, s. 775.21, s. 775.25, or s.
146 943.0435.

147 Section 6. Paragraph (f) of subsection (1) of section
148 322.21, Florida Statutes, is amended to read:

149 322.21 License fees; procedure for handling and collecting
150 fees.—

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

152 (f) An original, renewal, or replacement identification
153 card issued pursuant to s. 322.051 is \$25, except that an
154 applicant who presents evidence satisfactory to the department
155 that he or she is homeless as defined in s. 414.0252(7); ~~or~~ his

156 or her annual income is at or below 100 percent of the federal
157 poverty level; or he or she is a juvenile offender who is in the
158 custody or under the supervision of the Department of Juvenile
159 Justice, is receiving services pursuant to s. 985.461, and whose
160 identification card is issued by any of the department's mobile
161 issuing units is exempt from such fee. Funds collected from fees
162 for original, renewal, or replacement identification cards shall
163 be distributed as follows:

164 1. For an original identification card issued pursuant to
165 s. 322.051, the fee shall be deposited into the General Revenue
166 Fund.

167 2. For a renewal identification card issued pursuant to s.
168 322.051, \$6 shall be deposited into the Highway Safety Operating
169 Trust Fund, and \$19 shall be deposited into the General Revenue
170 Fund.

171 3. For a replacement identification card issued pursuant
172 to s. 322.051, \$9 shall be deposited into the Highway Safety
173 Operating Trust Fund, and \$16 shall be deposited into the
174 General Revenue Fund. Beginning July 1, 2015, or upon completion
175 of the transition of the driver license issuance services, if
176 the replacement identification card is issued by the tax
177 collector, the tax collector shall retain the \$9 that would
178 otherwise be deposited into the Highway Safety Operating Trust
179 Fund and the remaining revenues shall be deposited into the
180 General Revenue Fund.

181 Section 7. Subsection (3) of section 322.221, Florida

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182 Statutes, is amended to read:

183 322.221 Department may require reexamination.—

184 (3) (a) Upon the conclusion of such examination or
185 reexamination the department shall take action as may be
186 appropriate and may suspend or revoke the license of such person
187 or permit him or her to retain such license, or may issue a
188 license subject to restrictions as permitted under s. 322.16.
189 Refusal or neglect of the licensee to submit to such examination
190 or reexamination shall be ground for suspension or revocation of
191 his or her license.

192 (b) If the department suspends or revokes the license of a
193 person due to his or her physical or mental condition, the
194 department shall issue an identification card to the person at
195 the time of the license suspension or revocation. The department
196 may not charge fees for the issuance of the identification card.

197 Section 8. This act shall take effect October 1, 2016.