

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: CS/SB 718

INTRODUCER: Senator Sobel

SUBJECT: Identification Cards

DATE: December 3, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jones	Eichin	TR	Fav/CS
2.			ATD	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 718 allows a person with a developmental disability, or a parent or guardian of a child or ward with a developmental disability to voluntarily request to be issued an identification card with a “D” designation for the person diagnosed with a developmental disability.

The Department of Highway Safety and Motor Vehicles (DHSMV) will issue the identification card upon proof of diagnosis of a developmental disability by a licensed physician and payment of a \$10 fee. The additional \$10 fee is deposited into the Agency for Persons with Disabilities Operations and Maintenance Trust Fund. A replacement identification card that includes the designation may be issued without payment of the \$25 replacement fee.

The bill provides an effective date of October 1, 2016. However, the bill specifies that changes made to the identification cards will apply upon implementation of new designs for the driver license and identification card by the DHSMV, which is anticipated to be in 2017.

II. Present Situation:

Developmental Disabilities in Florida

Section 393.063(9), F.S., defines developmental disabilities to mean “a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, or Prader-Willi

syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.”

The Florida Developmental Disabilities Council estimates there are approximately 100,000 individuals living in the state who meet the developmental disability criteria.

Identification Cards in Florida

Any person who is five years of age or older, or any person who has a disability, regardless of age, who applies for a disabled parking permit, may be issued an identification card by the DHSMV upon completion of an application and payment of a \$25 fee.¹ For an original identification card the \$25 fee is deposited into the General Revenue Fund. For a replacement identification card \$9 is deposited into the Highway Safety Operating Trust Fund (HSOTF) or retained by the tax collector issuing the replacement, and \$16 is deposited into the General Revenue Fund.²

An identification card issued to a person 5 to 14 years of age expires, unless canceled earlier, on the fourth birthday of the applicant following the date of original issue. An identification card issued to a person 15 years of age or older expires, unless canceled earlier, on the eighth birthday of the applicant following the date of original issue.³

In fiscal year 2014-2015, there were 533,584 identification cards issued statewide.⁴

Identification Cards for Persons with Developmental Disabilities

Other states have implemented Disability Identification Cards for individuals with developmental disabilities. These identification cards serve as an indicator for police and others that an individual has a developmental disability.

For example, in Illinois, the Disabled Person Identification Card is used to signify an individual has a physical, developmental, visual, hearing, or mental disability, and classifies each disability.⁵ The card is able to be used as proof of a disability as well as proof of identification for the individual. In Georgia, disability symbols can be placed on a license, permit, or identification card issued by the Georgia Department of Driver Services.⁶ Conditions such as PTSD, Dementia, Autism, and developmental disabilities, confirmed by a medical doctor, can be indicated on the back of an individual’s license, permit, or identification card.⁷

¹ Section 322.051, F.S.

² Section 322.21(1)(f), F.S.

³ Section 322.051(2)(a), F.S.

⁴ Email from Department of Highway Safety and Motor Vehicles (Nov. 24, 2015) (on file with the Senate Committee on Transportation).

⁵ See 15 ILCS 335/4a

⁶ O.C.G.A. s. 40-5-171 (2010).

⁷ Georgia Department of Driver Services, *DDs-29 Revised (3/23/2011) Form*, <http://www.dds.ga.gov/docs/forms/DDS-29-12610.pdf> (last visited Nov. 23, 2015).

Agency for Persons with Disabilities (APD)

The APD serves over 50,000 Floridians with developmental disabilities.⁸ Revenues deposited into the Operations and Maintenance Trust Fund administered by the APD, under s. 20.1971(2), F.S., go toward client services and administration of those services.⁹ These services include: life skills development and job training, personal care assistance, therapeutic and wellness support, transportation services, and specialized medical assistance.

III. Effect of Proposed Changes:

The bill allows a person with a developmental disability¹⁰, or the parent or guardian of a child or ward with a developmental disability, to voluntarily request to be issued an identification card exhibiting a “D” designation for the person who has been diagnosed by a licensed physician as having a developmental disability.

The DHSMV will issue the identification card upon proof of diagnosis of a developmental disability, acceptable to the department, and an additional fee of \$10. The \$10 fee will be deposited into the Operations and Maintenance Trust Fund administered by the APD. A replacement identification card that includes the “D” designation may be issued without payment of the required \$25 fee. The DHSMV is required by the bill to develop rules for implementing the identification card designation.

The designated identification card could help law enforcement and other officials identify if they are dealing with a developmentally disabled individual. However, it is unknown how many individuals may apply for this designated identification card.

The bill provides that the changes made to the identification card by this bill will apply upon implementation of new designs for the driver license and identification card by the DHSMV, which is currently anticipated to be in 2017¹¹.

This bill takes effect October 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

⁸ Agency for Persons with Disabilities, *About Us*, <http://apd.myflorida.com/about/> (last visited Nov. 23, 2015).

⁹ Email from Agency for Persons with Disabilities, (Mar. 18, 2015) (on file with the Senate Committee on Transportation).

¹⁰ As defined in s. 393.063, F.S.

¹¹ As stated in the DHSMV analysis of SB 158. (Sep. 3, 2015) (on file with the Senate Committee on Transportation).

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Under SB 718, individuals requesting a “D” designation on an identification card must pay an additional \$10 fee. A replacement identification card including the designation may be issued without payment of the \$25 replacement fee.

Revenue from the \$10 additional fee may have a minimal positive impact on clients of the APD, since the funds are deposited into its Operations and Maintenance Trust Fund for client services. However, it is unknown how many individuals may apply for this designated identification card.

C. Government Sector Impact:

The bill will have a minimal fiscal impact to the DHSMV.¹²

Revenue from the \$10 additional fee will have a positive fiscal impact on the APD Operations and Maintenance Trust Fund. However, it is unknown how many individuals may apply for the “D” designated identification card, therefore the impact is indeterminate.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 322.051 of the Florida Statutes.

¹² Conversation with the Chief Financial Officer of DHSMV (Dec. 3, 2015).

IX. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Transportation on December 3, 2015:

The CS adds that changes made to the identification cards by this bill will apply upon implementation of new designs for the driver license and identification card by the DHSMV.

- B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
