

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/CS/HB 179 Veteran Identification

**SPONSOR(S):** Transportation & Tourism Appropriations Subcommittee; Local, Federal & Veterans Affairs Subcommittee; Combee & others

**TIED BILLS:** IDEN./SIM. **BILLS:** CS/SB 444

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local, Federal & Veterans Affairs Subcommittee	15 Y, 0 N, As CS	Renner	Miller
2) Transportation & Tourism Appropriations Subcommittee	10 Y, 0 N, As CS	Cobb	Davis
3) Government Accountability Committee	14 Y, 0 N	Renner	Williamson

### SUMMARY ANALYSIS

For the roughly 1.5 million veterans living in Florida, there is no uniform veteran identification card that can be used as proof of military service for the purpose of obtaining discounts or waivers from various license and registration fees. Rather, veterans rely on cards issued by the Department of Defense or United States Department of Veterans Affairs as proof. In Florida, a driver license or identification card with the "V" designation issued by the Department of Highway Safety and Motor Vehicles (DHSMV) or a Florida Department of Veterans' Affairs (FDVA) card for veterans with certain disabilities may be used as proof of veteran status.

Currently, the Department of Agriculture and Consumer Services and the Department of Financial Services will waive various license and registration fees for certain businesses and professions if a veteran provides a copy of the DD Form 214 or another acceptable form of identification as specified by FDVA.

The bill directs DHSMV, in cooperation with FDVA, to create a veteran identification card to be used as proof of veteran status for the purpose of obtaining discounts. The card must be issued by mail to any honorably discharged veteran of any branch of the U.S. Armed Forces who provides a copy of the veteran's DD Form 214; a copy of a valid, unexpired driver license or identification card or another form of photographic identification; and payment of \$10, which must be deposited into the Highway Safety Operating Trust Fund. Additionally, the bill adds the identification card as proof of veteran status in order for a veteran to obtain a waiver for license and registration fees for certain businesses and professions.

The bill will have an indeterminate, though likely insignificant negative fiscal impact to state expenditures. It does not appear to have a fiscal impact on local governments.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

##### **Veteran Identification Cards**

Currently, United States military veterans<sup>1</sup> do not have one uniform veteran identification card available to them that proves military service.

On July 20, 2015, Congress enacted the “Veterans Identification Card Act 2015.”<sup>2</sup> The Act directs the United States Department of Veterans Affairs (VA) to issue a veteran’s identification card to a requesting veteran who is neither entitled to military retired pay nor enrolled in the VA system for patient enrollment. The card is required to display the veteran’s name and photograph and serve as proof that the veteran has a DD Form 214<sup>3</sup> or other official document in his or her military personnel file that describes the veteran’s military service.<sup>4</sup> The identification card cannot be used as proof of eligibility for any federal benefits and does not grant access to military installations. It is estimated that the cards will be implemented in 2017, at the earliest, and the price for the identification card is not yet determined.

Currently, certain veterans may be eligible for other methods of identification that may prove veteran status including, but not limited to, the following:

- **Veteran Health Identification Card<sup>5</sup>** – This card is issued to veterans enrolled in the VA health care system and is used for identification and check-in at VA appointments.
- **DD Form 2 (Retired) U.S. Uniformed Services ID<sup>6</sup>** – This card is issued to retired Uniform Service<sup>7</sup> members entitled to pay, members on the temporary disability retired list, and members on the permanent disability retired list.
- **DD Form 1173 U.S. Uniformed Services ID and Privilege Card<sup>8</sup>** – This card is issued to Medal of Honor recipients, former members in receipt of retired pay, 100 percent disabled veterans, and other benefits-eligible categories as described in DoD policy.
- **DD Form 2765 Department of Defense/Uniformed Services ID and Privilege Card<sup>9</sup>** – This card is issued to Medal of Honor recipients, 100 percent disabled veterans, former members in receipt of retired pay, other benefits-eligible categories as described in the Department of Defense (DoD) policy.

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<sup>1</sup> Section 1.01(14), F.S., defines the term “veteran” as a person who served in the active military, naval, or air service who was discharged or released under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the VA on individuals discharged or released with other than honorable discharge.

<sup>2</sup> Veterans Identification Card Act 2015, Pub. L. No. 114-31, H.R. 91, 114<sup>th</sup> Cong. (July 20, 2015).

<sup>3</sup> Each veteran is issued a Department of Defense DD Form 214. This form contains information normally needed to verify military service of benefits, retirement, employment, membership in veterans’ organizations, and the veteran’s condition of discharge. See <http://www.dd214.us/> (last visited January 30, 2017).

<sup>4</sup> Congress.gov, *H.R. 91-Veterans Identification Card Act 2015*, available at: <https://www.congress.gov/bill/114th-congress/house-bill/91> (last viewed January 27, 2017).

<sup>5</sup> U.S. Department of Veterans Affairs site on *Veteran Identification Cards*, available at: [https://iris.custhelp.com/app/answers/detail/a\\_id/911](https://iris.custhelp.com/app/answers/detail/a_id/911) (last viewed January 27, 2017).

<sup>6</sup> Department of Defense Common Access Card site on *Uniformed Services ID Card*, available at: [www.cac.mil/uniformed-services-id-card/](http://www.cac.mil/uniformed-services-id-card/) (last viewed January 29, 2017).

<sup>7</sup> 10 U.S.C. §101(a)(5) defines “uniformed services” as consisting of the Army, Marines, Navy, Air Force, Coast Guard, Public Health Service, and the National Oceanic and Atmospheric Administration.

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

## State-Issued Veteran Identification Cards

### Florida

Florida does not have a uniform veteran identification card. Rather, veterans can show proof of status by having a “V” designation on either their Florida identification card<sup>10</sup> or their Florida driver license<sup>11</sup> for an additional \$1 fee plus the renewal fee, or a \$2 fee if the veteran wants to purchase a replacement credential for the sole purpose of adding the “V” designation. The designation can be obtained when a veteran submits a copy of his or her DD Form 214 or another acceptable form specified by the Florida Department of Veterans’ Affairs (FDVA) to the Department of Highway Safety and Motor Vehicles (DHSMV).<sup>12</sup>

Additionally, FDVA may issue an identification card to any veteran who is a permanent resident of Florida and who has been determined by the VA to have a 100 percent service-connected permanent and total disability rating, or who has been determined to have a service-connected total and permanent disability rating of 100 percent and is receiving disability retirement pay from any branch of the U.S. Armed Forces.<sup>13</sup>

### Virginia

Virginia offers a veteran identification card<sup>14</sup> that is issued by the Virginia Department of Motor Vehicles (DMV) and provides proof of veteran status in order for a veteran to receive discounts from retailers and restaurants. The design of the card shows the veteran’s photo, name, branch of service, and signature. To be eligible, the veteran must:

- Be a Virginia resident;
- Hold an unexpired Virginia commercial driver’s license, driver’s license, learner’s permit or DMV-issued ID card;
- Have served either in the active U.S. Armed Forces or for more than 180 days in the Virginia National Guard or U.S. Reserves;
- Have received an honorable discharge;
- Present a photocopy of a veteran service proof document that provides the branch of service, discharge date and discharge status (e.g. DD Form 214);
- Consent that the information on the application will be shared with the Virginia Department of Veteran Services; and
- Pay \$10.

### Delaware

Delaware-issued veteran identification cards are available free of charge to any Delaware veteran that served in the U.S. military, was honorably discharged, has a valid Delaware driver license or identification card, and provides accepted proof of military service.<sup>15</sup>

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<sup>10</sup> Section 322.051, F.S.

<sup>11</sup> Section 322.14(1)(d), F.S.

<sup>12</sup> A “veteran” designation will replace the “V” designation when the new driver license and identification card design comes out at the end of 2017.

<sup>13</sup> Section 295.17, F.S.

<sup>14</sup> Virginia Department of Motor Vehicles website on *Veteran Identification Cards*, available at [https://www.dmv.virginia.gov/drivers/#id/vet\\_id.asp](https://www.dmv.virginia.gov/drivers/#id/vet_id.asp) (last visited January 31, 2017).

<sup>15</sup> State of Delaware-Division of Motor Vehicles, *Veteran Identification Cards*, available at [https://www.dmv.de.gov/services/driver\\_services/drivers\\_license/dr\\_lic\\_vet\\_idcard.shtml](https://www.dmv.de.gov/services/driver_services/drivers_license/dr_lic_vet_idcard.shtml) (last visited April 10, 2017).

## Registration and License Fee Waivers

### Department of Agriculture and Consumer Services (DACS)

Chapter 2016-166, Laws of Florida, among other matters, implemented various registration and license fee waivers for veterans, their spouses, and their businesses for several professions regulated by DACS.

The first-time application fee for a specified veteran of the U.S. Armed Forces, his or her spouse, or a business entity in which he or she has a majority ownership is waived for the following classes of licenses: land surveyor and mapper;<sup>16</sup> health studio;<sup>17</sup> commercial telephone seller;<sup>18</sup> telemarketing salesperson;<sup>19</sup> movers and moving broker;<sup>20</sup> liquefied petroleum gas related license;<sup>21</sup> pawnbroker;<sup>22</sup> motor vehicle repair shop; and<sup>23</sup> sellers of travel.<sup>24</sup> To qualify for the fee waiver, the veteran, his or her spouse, or his or her business must submit an application within 60 months after the date of the veteran's discharge from the U.S. Armed Forces and provide a copy of his or her DD Form 214, or another form of identification as specified by the FDVA; a valid marriage license when applicable; and proof of ownership interest, where applicable.

The initial application fee for licensure for veterans who apply within 24 months of their honorable discharge from the armed forces is waived for the following licenses:

- Private investigator, private investigator intern, private investigative/security agency manager, or private investigative agency manager;
- Security officer instructor or security manager;
- Recovery agent, recovery agent intern, recovery agent manager, or recovery agent instructor; and
- Firearms instructor.<sup>25</sup>

The veteran must submit a copy of his or her DD Form 214 or another form of identification as specified by the FDVA in order to receive the waiver.

The initial fee for licensure for veterans who apply within 24 months of their honorable discharge from the armed forces is waived for the following licenses:

- Private investigative/security agency manager or a firearms instructor;<sup>26</sup>
- Private investigator, private investigator intern, or private investigative agency manager;<sup>27</sup>
- Security officer, security officer instructor, or a security manager;<sup>28</sup> and
- Recovery agent, recovery agent intern, recovery agent manager, or recovery agent instructor.<sup>29</sup>

The veteran must submit a copy of his or her DD Form 214 or another form of identification as specified by the FDVA in order to receive the waiver.

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<sup>16</sup> Section 472.015(3), F.S.

<sup>17</sup> Section 501.015(2), F.S.

<sup>18</sup> Section 501.605(5)(b), F.S.

<sup>19</sup> Section 501.607(2)(b), F.S.

<sup>20</sup> Section 507.03(3)(b), F.S.

<sup>21</sup> Section 527.02(3)(b), F.S.

<sup>22</sup> Section 539.001(3)(c), F.S.

<sup>23</sup> Section 559.904(3)(b), F.S.

<sup>24</sup> Section 559.928(2)(c), F.S.

<sup>25</sup> Section 493.6105(1)(c), F.S.

<sup>26</sup> Section 493.6107(6), F.S.

<sup>27</sup> Section 493.6202(4), F.S.

<sup>28</sup> Section 493.6302(4), F.S.

<sup>29</sup> Section 493.6402(4), F.S.

Lastly, in order to receive an expedited processing of an application for a license to carry concealed weapons or firearms, a veteran must submit a copy of the DD Form 214 or another acceptable form of identification as specified by FDVA.<sup>30</sup>

### Department of Financial Services (DFS)

Veterans who have retired within 24 months are exempt from the application filing fee for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary. The applicant must submit a military service record, military personnel file, veteran record, discharge paper, or separation document, or a separation document that indicates the veteran was honorably discharged.<sup>31</sup>

### Effect of Proposed Changes

The bill requires DHSMV, in cooperation with FDVA, to create a veteran identification card to be used as proof of veteran status in order to obtain discounts or waivers offered to veterans for the exchange of goods and services. The card would be separate from a DHSMV-issued driver license or personal identification card. The bill provides criteria for the design of the card which must include a full-face photograph of the veteran, the veteran's full name, branch of service, date of discharge, and the words "Proof of veteran status only."

DHSMV must issue the card by mail to any honorably discharged veteran of any branch of the U.S. Armed Forces who provides the following:

- A copy of the veteran's DD Form 214 as issued by the DoD;
- A copy of the veteran's valid, unexpired Florida driver license or identification card or another form of photographic identification that is acceptable to DHSMV; and
- Payment of a \$10 fee, which must be deposited into the Highway Safety Operating Trust Fund.

The bill prohibits the use of the veteran identification card as an identification card for a veteran with a 100 percent, service-connected, permanent and total disability rating for compensation, or who has a service-connected total and permanent disability rating of 100 percent and receives disability retirement pay pursuant to s. 295.17, F.S., or as an identification card pursuant to s. 322.051, F.S. The bill requires a veteran identification card to be terminated upon the death of the veteran.

The bill provides for repeal of the authorizing statute for veteran identification cards on August 31, 2022.

In addition to showing a DD Form 214 or another acceptable form of identification specified by DVA as proof of veteran status, the bill adds the veteran identification card as proof of veteran status for waivers of registration or license fees for the following DACS and DFS businesses and occupations: land surveying and mapping; private investigation, security, and repossession services; health studios; telephone salespersons; movers and moving brokers; the sale of liquefied petroleum gas; pawnbrokers; motor vehicle repair shops; sellers of travel; and insurance representatives. Lastly, the veteran identification card may be used as proof of veteran status for the expedited processing of an application for a license to carry concealed weapons or firearms.

#### B. SECTION DIRECTORY:

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| <b>Section 1</b> | Creates s. 322.0511, F.S., relating to veteran identification cards.   |
| <b>Section 2</b> | Amends s. 472.015, F.S., relating to DACS licensure for land surveying and mapping.  |
| <b>Section 3</b> | Amends s. 493.6105, F.S., relating to DACS initial application for licensure for private investigation, security, and repossession services. |

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<sup>30</sup> Section 790.06(5)(f), F.S.

<sup>31</sup> Section 626.171(6), F.S.

- Section 4** Amends s. 493.6107, F.S., relating to DACS initial license fees for private investigation, security, and repossession services.
- Section 5** Amends s. 493.6202, F.S., relating to DACS fees for private investigation, security, and repossession services.
- Section 6** Amends s. 493.6302, F.S., relating to DACS fees for private investigation, security, and repossession services.
- Section 7** Amends s. 493.6402, F.S., relating to DACS fees for private investigation, security, and repossession services.
- Section 8** Amends s. 501.015, F.S., relating to DACS health studios registration requirements.
- Section 9** Amends s. 501.605, F.S., relating to DACS licensure of commercial telephone sellers.
- Section 10** Amends s. 501.607, F.S., relating to DACS licensure of salespersons.
- Section 11** Amends s. 507.03, F.S., relating to DACS registration for movers and moving brokers.
- Section 12** Amends s. 527.02, F.S., relating to DACS and the regulation of the sale of liquefied petroleum gas.
- Section 13** Amends s. 539.001, F.S., relating to DACS pawnbroker licenses.
- Section 14** Amends s. 559.904, F.S., relating to DACS registration for motor vehicle repair shops.
- Section 15** Amends s. 559.928, F.S., relating to DACS registration for sellers of travel.
- Section 16** Amends s. 626.171, F.S., relating to DFS insurance representative applications for licensure.
- Section 17** Amends s. 790.06, F.S., relating to DACS licenses to carry concealed weapons or firearms.
- Section 18** Provides an effective date of January 1, 2018.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

DHSMV estimates approximately 65,000 individuals will purchase the new identification card in the first year. At a rate of \$10 per transaction, the bill would have a positive fiscal impact to the Highway Safety Operating Trust Fund totaling \$650,000.<sup>32</sup>

#### 2. Expenditures:

DHSMV provided an initial estimate stating that approximately 4,560 programming hours, or \$313,440 in FTE and contracted resources, will be required to implement the bill. Additionally, the department will need to purchase two additional card printers at \$7,650 per printer, totaling \$15,300. It is expected that this cost can be absorbed within existing resources.<sup>33</sup>

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

None.

#### 2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Veterans who choose to obtain the veteran identification card could receive license and registration fee waivers, resulting in a positive fiscal impact for those veterans.

<sup>32</sup> DHSMV email on file with staff. The information is subject to revision or correction in the final draft.

<sup>33</sup> *Id.*

D. FISCAL COMMENTS:

None.

**III. COMMENTS**

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to require counties or municipalities to spend funds or take action requiring the expenditures of funds; reduce the authority that counties or municipalities have to raise revenues in the aggregate; or reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill neither authorizes nor requires administrative rulemaking by executive branch agencies.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On February 8, 2017, the Local, Federal & Veterans Affairs Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment removed the following personal identification information that would go on the front of the veteran identification card: DoD identification number, date of discharge, and the words "U.S. Armed Forces Veteran-Honorably Discharged."

On April 4, 2017, the Transportation & Tourism Appropriations Subcommittee adopted two amendments and reported the bill favorably as a committee substitute. The amendments: included FDVA in the process of creating the veteran identification card; removed both the signature and military "dog" tag design requirements; included discharge date as a design requirement; required the DHSMV to issue the cards by mail; specified that revenues must be deposited into the Highway Safety Operating Trust Fund; provided that the identification card terminates upon the death of the veteran; provided a repeal date of August 31, 2022; and changed the effective date to January 1, 2018.

This analysis is drafted to the committee substitute as passed by the Transportation & Tourism Appropriations Subcommittee.