

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: SB 328

INTRODUCER: Senator Baxley

SUBJECT: Veteran Identification

DATE: October 20, 2017

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jones	Miller	TR	Favorable
2.			ATD	
3.			AP	

I. Summary:

SB 328 directs the Department of Highway Safety and Motor Vehicles (DHSMV) to create a veteran identification card to be used by veterans as proof of veteran status for obtaining discounts or fee waivers. The DHSMV shall issue the card to a veteran who has been honorably discharged and who provides to the DHSMV:

- A copy of his or her DD Form 214;
- A copy of his or her valid driver license, identification card, or another form of photographic identification acceptable to the DHSMV; and
- Payment of a \$10 fee.

The bill provides specifications for information that will appear on the card, and provides that the card may be used as proof of veteran status in numerous sections of the Florida Statutes.

The bill is likely to have a positive fiscal impact to the Highway Safety Operating Trust Fund (HSOTF) and local tax collector revenues. See Section V. Fiscal Impact Statement.

The bill takes effect January 1, 2019.

II. Present Situation:

Veteran Identification Cards

Currently, United States (U.S.) military veterans¹ do not have one uniform veteran identification card available to them that proves military service. In 2015, Congress enacted the “Veterans

¹ Section 1.01(14), F.S., defines a “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 United States Department of Veteran Affairs on individuals discharged or released with other than honorable discharges.”

Identification Card Act 2015.”² The Act directs the Secretary of Veterans Affairs (VA) to issue a veteran identification card to each veteran who requests one, presents a copy of his or her Department of Defense (DoD) form DD-214³ or other official document from the official military personnel file of the veteran that describes his or her service, and pays a fee (which is yet to be determined).⁴ The card will display the photograph and name of the veteran, and contain an identification number that is not a social security number.⁵ The card is not proof of any benefits to which the veteran is entitled to, but does serve as proof that such veteran:

- Served in the Armed Forces; and
- Has a DoD form DD-214 or other official document in the official military personnel file of the veteran that describes the service of the veteran.⁶

According to the VA, information regarding obtaining a Veteran Identification Card will be available in November 2017.⁷

Currently, certain veterans may be eligible for other methods of identification that may prove veteran status, including a:

- Veteran Health Identification Card (VHIC):
 - The VHIC is issued to veterans enrolled in the VA health care system, and is used for identification and check-in at VA appointments and access to U.S. military bases.⁸
- DD Form 2 (Retired) U.S. Uniformed Services⁹ Identification Card:
 - This card is available to retired members entitled to retired pay, and members on the Temporary Disability Retired List or the Permanent Disability Retired List.¹⁰
- DD Form 2765 DoD/Uniformed Services Identification and Privilege Card:
 - This card is available to Medal of Honor recipients, 100 percent disabled veterans, former members in receipt of retired pay, and other benefits-eligible categories described in DoD policy.¹¹
- Paper Identification Card or Letter displaying military service that is issued free through the joint VA/DoD web portal.¹²
- State driver license or identification cards with a Veteran designation, or a State-issued Veteran Identification Card.

² H.R.91, *Veterans Identification Card Act 2015* (Became public law July 20, 2015), available at <https://www.congress.gov/bill/114th-congress/house-bill/91> (last visited Oct. 13, 2017).

³ The DoD issues each veteran a DD-214. This form identifies the veteran’s condition of discharge, and contains information commonly needed to verify military service for benefits, retirement, employment, and membership in veteran organizations. See DD214 website, <http://www.dd214.us/> (last visited Oct. 13, 2017).

⁴ See 38 U.S.C. s. 5706

⁵ *Id.*

⁶ *Id.*

⁷ Military.com, *VA Photo ID Cards for All Veterans Coming in November* (Oct. 4, 2017), <http://www.military.com/daily-news/2017/10/04/va-photo-id-cards-for-all-veterans-coming-in-november.html> (last visited Oct. 19, 2017).

⁸ VA website, *Veterans Health Identification Card*, <https://www.va.gov/healthbenefits/vhic/> (last visited Oct. 13, 2017).

⁹ 10 U.S.C. s. 101(a) defines uniformed services as the Army, Navy, Air Force, Marine Corps, Coast Guard, and the commissioned corps of the National Oceanic and Atmospheric Administration and the Public Health Service.

¹⁰ DoD Common Access Card, *Uniformed Services ID Card*, available at <http://www.cac.mil/uniformed-services-id-card/> (last visited Oct. 13, 2017).

¹¹ *Id.*

¹² Available at eBenefits.va.gov, <https://www.ebenefits.va.gov/ebenefits/homepage> (last visited Oct. 13, 2017).

State Driver License or Identification Card Veteran Designations

Currently, 48 states as well as Puerto Rico and the District of Columbia provide the option for veterans to add a Veteran designation to a state driver license or identification card.¹³

Florida provides the option for a veteran designation to be placed on a veteran's driver license or identification card upon request from the veteran, payment of a fee, and the presentation of a copy of the veteran's DD Form 214 or other acceptable form specified by the Florida Department of Veterans' Affairs (FDVA).¹⁴ The designation is added onto a driver license or identification card for a \$1 fee when the license or card is being issued or renewed, or a \$2 fee solely to replace a license or card in order to add on the designation.¹⁵

State-Issued Veteran Identification Cards

Virginia and Delaware both offer veteran identification cards issued by the state's Division of Motor Vehicles.

To be eligible for a Virginia-issued veteran identification card, the veteran must:

- Present documentation indicating that he or she served in the U.S. Armed Forces, received an honorable discharge, and holds an unexpired Virginia driver license or identification card;
- Present documentation that displays the veteran's branch of service, discharge date, and discharge status; and
- Pay a \$10 application fee.¹⁶

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.¹⁷

Florida does not issue a veteran identification card for all veterans, but does issue cards for veterans with specified 100 percent service-connected disabilities. Section 295.17, F.S., provides that the FDVA may issue an identification card to any veteran who is a permanent resident of Florida and has been determined by the VA to have a 100 percent service-connected permanent and total disability rating, or has 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.

Licensing and Registration Fee Waivers

Florida has the third largest veteran population in the nation, with over 1.5 million veterans in the state.¹⁸ Florida offers numerous benefits available to veterans, including fee waivers for veterans,

¹³ MilitaryBenefits, *Veterans ID on Driver's License or ID Card by State*, <https://militarybenefits.info/veterans-id-on-drivers-license-id-card-by-state/> (last visited Oct. 13, 2017). Virginia and Delaware offer state veteran ID cards.

¹⁴ See ss. 322.051(8)(b) and 322.14(1)(d), F.S.

¹⁵ *Id.*; The current veteran designation is a "V" printed on the license or card; however, the designation will be changed to read "Veteran" upon implementation of new designs for the license and card by the DHSMV.

¹⁶ Virginia Department of Veterans Services website, *Veterans ID Card*, <https://www.dvs.virginia.gov/benefits/veterans-id-card/> (last visited Oct. 13, 2017).

¹⁷ State of Delaware- Division of Motor Vehicles, *Veteran Identification (ID) Cards*, https://www.dmv.de.gov/services/driver_services/drivers_license/dr_lic_vet_idcard.shtml (last visited Oct. 13, 2017).

¹⁸ FDVA website, *Fast Facts*, <http://floridavets.org/our-veterans/profilefast-facts/> (last visited Oct. 13, 2017).

spouses of veterans, and business entities with majority ownership held by a veteran or spouse of a veteran.

Currently, Florida waives initial licensing or registration fees for a veteran who provides a copy of his or her DD Form 214 or another acceptable form of identification as specified by the FDVA, for the following:

- The initial *application fee* for a veteran who applies to be licensed as a private investigator, private investigator intern, private investigative agency manager, private investigative/security agency manager, firearms instructor, security officer manager, security officer instructor, recovery agent, recovery agent intern, recovery agency manager, or recovery agent instructor within 24 months after being discharged from a branch of the U.S. Armed Forces.¹⁹
- The initial *license fee* for a veteran who applies within 24 months of being discharged from a branch of the U.S. Armed Forces to be licensed as a:
 - Private investigative/security agency manager or a firearms instructor;²⁰
 - Private investigator, private investigator intern, or private investigative agency manager;²¹
 - Security officer, security officer instructor, or a security manager;²² and
 - Recovery agent, recovery agent intern, recovery agent manager, or recovery agent instructor.²³

Veterans of the U.S. Armed Forces who retired within 24 months before application for licensure are exempt from the application filing fee to be licensed as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary upon proof of qualifying veteran status.²⁴

Initial license or registration fees are waived for veterans, spouses of veterans, and business entities with a veteran majority owner who submit an application within 60 months after the date of the veteran's discharge from the U.S. Armed Forces for the following classes of licenses:

- Land surveyor and mapper;²⁵
- Health studios;²⁶
- Commercial telephone seller or entities providing substance abuse marketing services;²⁷
- Telemarketing salesperson;²⁸
- Movers and moving brokers;²⁹
- Liquefied petroleum gas related license;³⁰

¹⁹ Section 493.6105(1)(c), F.S.

²⁰ Section 493.6107(6), F.S.

²¹ Section 493.6202(4), F.S.

²² Section 493.6302(4), F.S.

²³ Section 493.6402(4), F.S.

²⁴ Section 626.171(6), F.S., Qualified individuals must provide a copy of a military identification card, service record, personnel file, veteran record, discharge paper, or separation document.

²⁵ Section 472.015(3), F.S.

²⁶ Section 501.015(2), F.S.

²⁷ Section 501.605(5), F.S.

²⁸ Section 501.607(2)(b), F.S.

²⁹ Section 507.03(3)(b), F.S.

³⁰ Section 527.02(3)(b), F.S.

- Pawnbroker;³¹
- Motor vehicle repair shop;³² and
- Sellers of travel.³³

To be eligible for the fee waiver above, the applicant must provide a copy of the veteran's DD Form 214 or another acceptable form of identification as specified by the FDVA, and a valid marriage license or proof of ownership interest, where applicable.

Finally, a veteran is eligible to receive 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 the FDVA.³⁴

III. Effect of Proposed Changes:

The bill directs the DHSMV to create a veteran identification card to be used as proof of veteran status for obtaining discounts or waivers offered to veterans. The card may not be used for the determination of any federal benefits, as a veteran disability identification card issued under s. 295.17, F.S., or as a state identification card issued under s. 322.051, F.S.

The card must bear the colors and design approved by the DHSMV, including:

- A full-face photograph of the veteran;
- The words "Proof of veteran status" at the bottom of the card, and
- The veteran's full name, branch of service, and date of discharge.

The DHSMV shall issue the card by mail to a veteran of any branch of the U.S. Armed Forces who has been honorably discharged and who provides the DHSMV:

- A copy of his or her DD Form 214;
- A copy of his or her valid driver license or identification card, or other form of photographic identification acceptable to the DHSMV; and
- Payment of a \$10 fee³⁵.

The bill requires the card be terminated upon the death of the veteran. Additionally, **section 1** of the bill, authorizing issuance of the card, will be repealed August 31, 2023.

The bill authorizes the veteran identification card to be used as proof of veteran status in numerous sections of the Florida Statutes. Specifically, the bill authorizes the card to be used as proof of veteran status to receive fee waivers when applying for the following licensures:

- **Section 2** for a land surveyor and mapper;
- **Section 3** for a private investigator, private investigator intern, private investigative agency manager, private investigative/security agency manager, firearms instructor, security officer

³¹ Section 539.001(3)(c), F.S.

³² Section 559.904(3)(b), F.S.

³³ Section 559.928(2)(c), F.S.

³⁴ Section 790.06(5)(f)2., F.S.

³⁵ To be deposited into the Highway Safety Operating Trust Fund (HSOTF).

manager, security officer instructor, recovery agent, recovery agent intern, recovery agency manager, or recovery agent instructor;

- **Section 4** for a private investigative/security agency manager or a firearms instructor;
- **Section 5** for a private investigator, private investigator intern, or private investigative agency manager;
- **Section 6** for a security officer, security officer instructor, or a security manager;
- **Section 7** for a recovery agent, recovery agent intern, recovery agent manager, or recovery agent instructor;
- **Section 8** for a health studio;
- **Section 9** for a commercial telephone seller or entity providing substance abuse marketing services;
- **Section 10** for a telemarketing salesperson;
- **Section 11** for a mover and moving broker;
- **Section 12** for a liquefied petroleum gas related license;
- **Section 13** for a pawnbroker;
- **Section 14** for a motor vehicle repair shop;
- **Section 15** for a seller of travel; and
- **Section 16** for an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary

Lastly, **section 17** provides that the veteran identification card may be used as proof of veteran status for expedited processing of an application to carry concealed weapons or firearms.

The bill takes effect January 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

A veteran will pay a \$10 fee if he or she chooses to receive a veteran identification card.

C. Government Sector Impact:

DHSMV estimates between 40,000 and 65,000 veterans may apply for the veteran identification card in the first year, generating a positive impact of \$400,000 to \$650,000 to the HSOTF.³⁶ To implement the bill, the DHSMV will incur programming and printer costs of approximately \$328,740.³⁷

The bill may have a positive impact on local tax collector offices who work as driver license agents, as they are authorized to charge a service fee of \$6.25 when providing services under ch. 322, F.S.³⁸

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill creates section 322.0511 of the Florida Statutes.

This bill substantially amends the following sections of the Florida Statutes: 472.015, 493.6105, 493.6107, 493.6202, 493.6302, 493.6402, 501.015, 501.605, 501.607, 507.03, 527.02, 539.001, 559.904, 559.928, 626.171, and 790.06.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

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

³⁶ Email from the DHSMV (Oct. 13, 2017) (on file with the Senate Committee on Transportation).

³⁷ *Id.*

³⁸ *See* s. 322.135, F.S.