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LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/21/2021	.	
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The Committee on Rules (Harrell) recommended the following:

Senate Amendment (with title amendment)

Between lines 154 and 155

insert:

Section 2. Subsection (1) of section 322.135, Florida Statutes, is amended to read:

322.135 Driver license agents.—

(1) (a) The department shall, upon application, authorize by interagency agreement any or all of the tax collectors who are constitutional officers under s. 1(d), Art. VIII of the State Constitution in the several counties of the state, subject to



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12 the requirements of law, in accordance with rules of the
13 department, to serve as the department's ~~its~~ agent for the
14 provision of specified driver license services.

15 ~~(a)~~ These services shall be limited to the issuance of
16 driver licenses and identification cards as authorized by this
17 chapter.

18 (b)1. The Legislature finds that, while digital
19 technologies enhance access to driver license services for most
20 residents, there are underserved populations that remain best
21 served in person by trained professionals, such as license plate
22 agencies, within local communities.

23 2. Effective October 1, 2021, the tax collectors of Broward
24 and Miami-Dade Counties, at each tax collector's discretion, may
25 participate in a pilot project in which the tax collector
26 contracts with one or more license plate agencies for the
27 provision of all the following specified driver license services
28 in compliance with state and federal law, including, but not
29 limited to, the National Voter Registration Act of 1993:

30 a. Processing a licensee's application and collecting the
31 required fees for renewal of any driver license that is
32 currently compliant with federal REAL ID Act requirements.

33 b. Processing a licensee's application for reinstatement of
34 a suspended driver license and collecting the required fees
35 therefor, if the only condition of reinstatement is payment of
36 such fees.

37 c. Processing a licensee's or cardholder's request to
38 change his or her address and application for a replacement



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39 driver license or identification card, and collecting the
40 required fees therefor, if the driver license or identification
41 card is currently compliant with federal REAL ID Act
42 requirements.

43 3. A participating tax collector of Broward or Miami-Dade
44 Counties who, at each tax collector's discretion, participates
45 in a pilot project through which the tax collector contracts
46 with one or more license plate agencies for the provision of
47 specified driver license services shall require each license
48 plate agency with which he or she contracts to enter into a
49 memorandum of understanding with the department pertaining to
50 the specified driver license services and to cover the costs
51 associated with any background checks and equipment and services
52 needed to allow the license plate agency to provide driver
53 license services. The memorandum of understanding between the
54 department and a license plate agency must address, at a
55 minimum, the authority and responsibility of the department, the
56 tax collector, and the license plate agency; data security and
57 privacy; disclosure of fees to customers to be charged by the
58 license plate agency; approved uses and security of the computer
59 network and equipment used for driver license services; the
60 criminal background checks required of license plate agency
61 owners and employees; fraud prevention and reporting; training
62 for employees of the license plate agency; compliance with
63 department procedures and state and federal law; the license
64 plate agency's duty to supervise its employees; bonding;



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65 remittance of state funds; and grounds for termination of the
66 memorandum of understanding.

67 4. The department shall, upon application of each tax
68 collector electing to participate in the pilot project,
69 authorize the tax collector by interagency agreement, subject to
70 the requirements of law and in accordance with department rule,
71 to provide these services as the department's agent through one
72 or more license plate agencies.

73 5. The department shall prescribe the best manner of
74 delivering the data access and functionalities to license plate
75 agencies for the purpose of providing specified driver license
76 services to ensure compliance with 6 C.F.R. s. 37.

77 6. A participating tax collector's election to contract
78 with a license plate agency under this paragraph does not
79 require the tax collector to provide all driver license services
80 authorized under paragraph (a).

81 7. This paragraph does not authorize a license plate agency
82 to issue driver licenses or identification cards or possess any
83 blank driver licenses or identification cards.

84 8. Before providing driver license services under this
85 paragraph, all employees of a license plate agency who are
86 engaged in the delivery of driver license services must be
87 fingerprinted, undergo background checks, and are subject to
88 disqualification from providing such services, to the extent
89 required by 6 C.F.R. s. 37.45.

90 9. If funds to be deposited into the State Treasury are
91 collected under this paragraph by a license plate agency, the



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92 funds shall be paid into the State Treasury within the period
93 specified in subsection (6) calculated from the date the funds
94 are collected by the license plate agency.

95 10. Each participating tax collector shall review
96 implementation of the pilot project and the provision of the
97 specified driver license services by license plate agencies in
98 its county. The tax collector shall submit a preliminary report
99 of its findings and recommendations to the department by October
100 1, 2024, and the department shall return comments to the tax
101 collector. By December 31, 2024, the tax collector shall submit
102 a final report, together with the department's comments, to the
103 Governor and Cabinet, the President of the Senate, and the
104 Speaker of the House of Representatives.

105 11. This paragraph expires July 1, 2025.

106 (c)-(b) Each tax collector who is authorized by the
107 department to provide driver license services shall bear all
108 costs associated with providing those services.

109 (d)-(e) A service fee of \$6.25 must be charged, in addition
110 to the fees set forth in this chapter, for providing all
111 services pursuant to this chapter. The service fee may not be
112 charged:

113 1. More than once per customer during a single visit to a
114 tax collector's office.

115 2. For a reexamination requested by the Medical Advisory
116 Board or required pursuant to s. 322.221.

117 3. For a voter registration transaction.

118 4. In violation of any federal or state law.



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119 5. To a veteran receiving any service pursuant to this
120 chapter, upon presentation of a copy of the veteran's:

121 a. DD Form 214, issued by the United States Department of
122 Defense;

123 b. Veteran health identification card, issued by the United
124 States Department of Veterans Affairs;

125 c. Veteran identification card, issued by the United States
126 Department of Veterans Affairs pursuant to the Veterans
127 Identification Card Act of 2015, Pub. L. No. 114-31; or

128 d. Other acceptable form specified by the Department of
129 Veterans' Affairs.

130 Section 3. Paragraph (c) of subsection (11) of section
131 322.20, Florida Statutes, is amended to read:

132 322.20 Records of the department; fees; destruction of
133 records.—

134 (11)

135 (c) The clerks of court and tax collectors authorized under
136 s. 322.135, may provide 3-year, 7-year, or complete driver
137 records to any person requesting such records upon payment of
138 the appropriate fees. In addition to the fees authorized under
139 paragraph (a), clerks of court and tax collectors may assess the
140 fee listed in s. 322.135(1)(d) ~~s. 322.135(1)(e)~~ for this
141 service. The applicable record fees listed in paragraph (a) must
142 be remitted to the department no later than 5 days after payment
143 is received, unless a shorter remittance period is required by
144 law.

145
146 ===== T I T L E A M E N D M E N T =====



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147 And the title is amended as follows:

148 Between lines 34 and 35

149 insert:

150 322.135, F.S.; providing legislative findings;
151 authorizing certain tax collectors to participate in a
152 pilot project for the provision of specified driver
153 license services by license plate agencies; providing
154 for participating tax collectors to contract with
155 license plate agencies for the provision of specified
156 driver license services; requiring the department to
157 enter into interagency agreements with participating
158 tax collectors; requiring the department to prescribe
159 the best manner of delivering data access and
160 functionalities to license plate agencies; providing
161 construction; requiring certain license plate agency
162 employees to be fingerprinted and undergo background
163 checks according to specified federal requirements;
164 requiring license plate agencies providing certain
165 driver license or identification card services to
166 provide licensees and cardholders with certain printed
167 notices about voter registration; providing for the
168 deposit of funds collected by license plate agencies;
169 requiring each participating tax collector to submit
170 reports relating to the pilot project to the
171 department and to the Governor and the Legislature by
172 specified dates; providing for expiration; amending s.
173 322.20, F.S.; conforming a cross-reference; amending
174 s.