

By Senator Torres

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1 A bill to be entitled
 2 An act relating to driver license and identification
 3 card gender designation; amending ss. 322.051 and
 4 322.08, F.S.; requiring an application for a driver
 5 license or identification card to provide for male,
 6 female, or nonbinary gender designation; amending ss.
 7 98.093, 320.05, 322.091, 322.14, and 322.17, F.S.;
 8 conforming provisions to changes made by the act;
 9 providing an effective date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Paragraph (a) of subsection (1) of section
 14 322.051, Florida Statutes, is amended to read:

15 322.051 Identification cards.—

16 (1) Any person who is 5 years of age or older, or any
 17 person who has a disability, regardless of age, who applies for
 18 a disabled parking permit under s. 320.0848, may be issued an
 19 identification card by the department upon completion of an
 20 application and payment of an application fee.

21 (a) The application must include the following information
 22 regarding the applicant:

23 1.a. Full name, which must include the applicant's ~~(first,~~
 24 ~~middle or maiden, and last names.)~~

25 b. Gender designation, which must provide for male, female,
 26 or nonbinary designation.

27 c. Proof of social security card number satisfactory to the
 28 department, which may include a military identification card.

29 d. County of residence.

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- 30 e. Mailing address.~~7~~
- 31 f. Proof of residential address satisfactory to the
- 32 department.~~7~~
- 33 g. Country of birth.~~7~~ ~~and~~
- 34 h. A brief description.
- 35 2. Proof of birth date satisfactory to the department.
- 36 3. Proof of identity satisfactory to the department. Such
- 37 proof must include one of the following documents issued to the
- 38 applicant:
- 39 a. A driver license record or identification card record
- 40 from another jurisdiction that required the applicant to submit
- 41 a document for identification which is substantially similar to
- 42 a document required under sub-subparagraph b., sub-subparagraph
- 43 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
- 44 f., sub-subparagraph g., or sub-subparagraph h.;
- 45 b. A certified copy of a United States birth certificate;
- 46 c. A valid, unexpired United States passport;
- 47 d. A naturalization certificate issued by the United States
- 48 Department of Homeland Security;
- 49 e. A valid, unexpired alien registration receipt card
- 50 (green card);
- 51 f. A Consular Report of Birth Abroad provided by the United
- 52 States Department of State;
- 53 g. An unexpired employment authorization card issued by the
- 54 United States Department of Homeland Security; or
- 55 h. Proof of nonimmigrant classification provided by the
- 56 United States Department of Homeland Security, for an original
- 57 identification card. In order to prove nonimmigrant
- 58 classification, an applicant must provide at least one of the

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59 following documents. In addition, the department may require
60 applicants to produce United States Department of Homeland
61 Security documents for the sole purpose of establishing the
62 maintenance of, or efforts to maintain, continuous lawful
63 presence:

64 (I) A notice of hearing from an immigration court
65 scheduling a hearing on any proceeding.

66 (II) A notice from the Board of Immigration Appeals
67 acknowledging pendency of an appeal.

68 (III) A notice of the approval of an application for
69 adjustment of status issued by the United States Citizenship and
70 Immigration Services.

71 (IV) An official documentation confirming the filing of a
72 petition for asylum or refugee status or any other relief issued
73 by the United States Citizenship and Immigration Services.

74 (V) A notice of action transferring any pending matter from
75 another jurisdiction to Florida, issued by the United States
76 Citizenship and Immigration Services.

77 (VI) An order of an immigration judge or immigration
78 officer granting relief that authorizes the alien to live and
79 work in the United States, including, but not limited to,
80 asylum.

81 (VII) Evidence that an application is pending for
82 adjustment of status to that of an alien lawfully admitted for
83 permanent residence in the United States or conditional
84 permanent resident status in the United States, if a visa number
85 is available having a current priority date for processing by
86 the United States Citizenship and Immigration Services.

87 (VIII) On or after January 1, 2010, an unexpired foreign

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88 passport with an unexpired United States Visa affixed,
89 accompanied by an approved I-94, documenting the most recent
90 admittance into the United States.

91
92 An identification card issued based on documents required in
93 sub-subparagraph g. or sub-subparagraph h. is valid for a period
94 not to exceed the expiration date of the document presented or 1
95 year, whichever occurs first.

96 Section 2. Paragraph (a) of subsection (2) of section
97 322.08, Florida Statutes, is amended to read:

98 322.08 Application for license; requirements for license
99 and identification card forms.—

100 (2) Each such application shall include the following
101 information regarding the applicant:

102 (a) 1. Full name, which must include the applicant's (first,
103 middle or maiden, and last names.)~~—~~

104 2. Gender designation, which must provide for male, female,
105 or nonbinary designation.

106 3. Proof of social security card number satisfactory to the
107 department, which may include a military identification card.~~—~~

108 4. County of residence.~~—~~

109 5. Mailing address.~~—~~

110 6. Proof of residential address satisfactory to the
111 department.~~—~~

112 7. Country of birth.~~—~~and

113 8. A brief description.

114 Section 3. Paragraph (g) of subsection (2) of section
115 98.093, Florida Statutes, is amended to read:

116 98.093 Duty of officials to furnish information relating to

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117 deceased persons, persons adjudicated mentally incapacitated,
118 and persons convicted of a felony.—

119 (2) To the maximum extent feasible, state and local
120 government agencies shall facilitate provision of information
121 and access to data to the department, including, but not limited
122 to, databases that contain reliable criminal records and records
123 of deceased persons. State and local government agencies that
124 provide such data shall do so without charge if the direct cost
125 incurred by those agencies is not significant.

126 (g) The Department of Highway Safety and Motor Vehicles
127 shall furnish monthly to the department a list of those persons
128 whose names have been removed from the driver license database
129 because they have been licensed in another state. The list shall
130 contain the name, address, date of birth, gender designation
131 ~~sex~~, social security number, and driver license number of each
132 such person.

133 Section 4. Paragraph (b) of subsection (3) of section
134 320.05, Florida Statutes, is amended to read:

135 320.05 Records of the department; inspection procedure;
136 lists and searches; fees.—

137 (3)

138 (b) Fees therefor shall be charged and collected as
139 follows:

140 1. For providing lists of motor vehicle or vessel records
141 for the entire state, or any part or parts thereof, divided
142 according to counties, a sum computed at a rate of not less than
143 1 cent nor more than 5 cents per item.

144 2. For providing noncertified photographic copies of motor
145 vehicle or vessel documents, \$1 per page.

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- 146 3. For providing noncertified photographic copies of
147 micrographic records, \$1 per page.
- 148 4. For providing certified copies of motor vehicle or
149 vessel records, \$3 per record.
- 150 5. For providing noncertified computer-generated printouts
151 of motor vehicle or vessel records, 50 cents per record.
- 152 6. For providing certified computer-generated printouts of
153 motor vehicle or vessel records, \$3 per record.
- 154 7. For providing electronic access to motor vehicle,
155 vessel, and mobile home registration data requested by tag,
156 vehicle identification number, title number, or decal number, 50
157 cents per item.
- 158 8. For providing electronic access to driver license status
159 report by name, gender designation ~~sex~~, and date of birth or by
160 driver license number, 50 cents per item.
- 161 9. For providing lists of licensed mobile home dealers and
162 manufacturers and recreational vehicle dealers and
163 manufacturers, \$15 per list.
- 164 10. For providing lists of licensed motor vehicle dealers,
165 \$25 per list.
- 166 11. For each copy of a videotape record, \$15 per tape.
- 167 12. For each copy of the Division of Motorist Services
168 Procedures Manual, \$25.
- 169 Section 5. Subsection (5) of section 322.091, Florida
170 Statutes, is amended to read:
- 171 322.091 Attendance requirements.—
- 172 (5) REPORTING AND ACCOUNTABILITY.—The department shall
173 report quarterly to each school district the legal name, gender
174 designation ~~sex~~, date of birth, and social security number of

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175 each student whose driving privileges have been suspended under
176 this section.

177 Section 6. Paragraph (a) of subsection (1) of section
178 322.14, Florida Statutes, is amended to read:

179 322.14 Licenses issued to drivers.—

180 (1) (a) The department shall, upon successful completion of
181 all required examinations and payment of the required fee, issue
182 to every qualified applicant a driver license that must bear a
183 color photograph or digital image of the licensee; the name of
184 the state; a distinguishing number assigned to the licensee; and
185 the licensee's full name, date of birth, and residence address;
186 a brief description of the licensee, including, but not limited
187 to, the licensee's gender designation and height; and the dates
188 of issuance and expiration of the license. A space shall be
189 provided upon which the licensee shall affix his or her usual
190 signature. A license is invalid until it has been signed by the
191 licensee except that the signature of the licensee is not
192 required if it appears thereon in facsimile or if the licensee
193 is not present within the state at the time of issuance.

194 Section 7. Paragraphs (a) and (b) of subsection (1) of
195 section 322.17, Florida Statutes, are amended to read:

196 322.17 Replacement licenses and permits.—

197 (1) (a) In the event that an instruction permit or driver
198 license issued under ~~the provisions of~~ this chapter is lost or
199 destroyed, the person to whom the permit or license ~~same~~ was
200 issued may, upon payment of the appropriate fee pursuant to s.
201 322.21, obtain a replacement upon furnishing proof satisfactory
202 to the department that such permit or license has been lost or
203 destroyed, and further furnishing the full name, date of birth,

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204 gender designation ~~sex~~, residence and mailing address, proof of
205 birth satisfactory to the department, and proof of identity
206 satisfactory to the department.

207 (b) In the event that an instruction permit or driver
208 license issued under ~~the provisions of~~ this chapter is stolen,
209 the person to whom the permit or license ~~same~~ was issued may, at
210 no charge, obtain a replacement upon furnishing proof
211 satisfactory to the department that such permit or license was
212 stolen and further furnishing the full name, date of birth,
213 gender designation ~~sex~~, residence and mailing address, proof of
214 birth satisfactory to the department, and proof of identity
215 satisfactory to the department.

216 Section 8. This act shall take effect July 1, 2021.