

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 an  
 5 identification card or a driver license to provide for  
 6 male, female, or nonbinary gender designation;  
 7 amending ss. 98.093, 320.05, 322.091, 322.14, and  
 8 322.17, F.S.; conforming provisions to changes made by  
 9 the act; 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 all of the following  
 22 information 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 all of the  
101 following 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 persons convicted of a felony, and persons who are not United  
119 States citizens.—

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

127 (g) The Department of Highway Safety and Motor Vehicles  
128 shall furnish monthly to the department:

129 1. A list of those persons whose names have been removed  
130 from the driver license database because they have been licensed  
131 in another state. The list must contain the name, address, date  
132 of birth, gender designation ~~sex~~, social security number, and  
133 driver license number of each such person.

134 2. A list of those persons who presented evidence of non-  
135 United States citizenship upon being issued a new or renewed  
136 Florida driver license or Florida identification card. The list  
137 must contain the name; address; date of birth; social security  
138 number, if applicable; and Florida driver license number or  
139 Florida identification card number, as applicable, of each such  
140 person.

141 Section 4. Paragraph (b) of subsection (3) of section  
142 320.05, Florida Statutes, is amended to read:

143 320.05 Records of the department; inspection procedure;  
144 lists and searches; fees.—

145 (3)

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146 (b) Fees therefor shall be charged and collected as  
147 follows:

148 1. For providing lists of motor vehicle or vessel records  
149 for the entire state, or any part or parts thereof, divided  
150 according to counties, a sum computed at a rate of not less than  
151 1 cent nor more than 5 cents per item.

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

154 3. For providing noncertified photographic copies of  
155 micrographic records, \$1 per page.

156 4. For providing certified copies of motor vehicle or  
157 vessel records, \$3 per record.

158 5. For providing noncertified computer-generated printouts  
159 of motor vehicle or vessel records, 50 cents per record.

160 6. For providing certified computer-generated printouts of  
161 motor vehicle or vessel records, \$3 per record.

162 7. For providing electronic access to motor vehicle,  
163 vessel, and mobile home registration data requested by tag,  
164 vehicle identification number, title number, or decal number, 50  
165 cents per item.

166 8. For providing electronic access to driver license status  
167 report by name, gender designation ~~sex~~, and date of birth or by  
168 driver license number, 50 cents per item.

169 9. For providing lists of licensed mobile home dealers and  
170 manufacturers and recreational vehicle dealers and  
171 manufacturers, \$15 per list.

172 10. For providing lists of licensed motor vehicle dealers,  
173 \$25 per list.

174 11. For each copy of a videotape record, \$15 per tape.

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175           12. For each copy of the Division of Motorist Services  
176 Procedures Manual, \$25.

177           Section 5. Subsection (5) of section 322.091, Florida  
178 Statutes, is amended to read:

179           322.091 Attendance requirements.—

180           (5) REPORTING AND ACCOUNTABILITY.—The department shall  
181 report quarterly to each school district the legal name, gender  
182 designation ~~sex~~, date of birth, and social security number of  
183 each student whose driving privileges have been suspended under  
184 this section.

185           Section 6. Paragraph (a) of subsection (1) of section  
186 322.14, Florida Statutes, is amended to read:

187           322.14 Licenses issued to drivers.—

188           (1)(a) The department shall, upon successful completion of  
189 all required examinations and payment of the required fee, issue  
190 to every qualified applicant a printed driver license that must  
191 bear a color photograph or digital image of the licensee; the  
192 name of the state; a distinguishing number assigned to the  
193 licensee, which, beginning November 1, 2023, must have a minimum  
194 of four randomly generated digits on each original, renewal, or  
195 replacement driver license; ~~and~~ the licensee's full name, date  
196 of birth, and residence address; a brief description of the  
197 licensee, including, but not limited to, the licensee's gender  
198 designation and height; and the dates of issuance and expiration  
199 of the license. A space shall be provided upon which the  
200 licensee shall affix his or her usual signature. A license is  
201 invalid until it has been signed by the licensee except that the  
202 signature of the licensee is not required if it appears thereon  
203 in facsimile or if the licensee is not present within the state

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204 at the time of issuance.

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

207 322.17 Replacement licenses and permits.—

208 (1) (a) In the event that an instruction permit or driver  
209 license issued under ~~the provisions of~~ this chapter is lost or  
210 destroyed, the person to whom the permit or license ~~same~~ was  
211 issued may, upon payment of the appropriate fee pursuant to s.  
212 322.21, obtain a replacement upon furnishing proof satisfactory  
213 to the department that such permit or license has been lost or  
214 destroyed, and further furnishing the full name, date of birth,  
215 gender designation ~~sex~~, residence and mailing address, proof of  
216 birth satisfactory to the department, and proof of identity  
217 satisfactory to the department.

218 (b) In the event that an instruction permit or driver  
219 license issued under ~~the provisions of~~ this chapter is stolen,  
220 the person to whom the permit or license ~~same~~ was issued may, at  
221 no charge, obtain a replacement upon furnishing proof  
222 satisfactory to the department that such permit or license was  
223 stolen and further furnishing the full name, date of birth,  
224 gender designation ~~sex~~, residence and mailing address, proof of  
225 birth satisfactory to the department, and proof of identity  
226 satisfactory to the department.

227 Section 8. This act shall take effect July 1, 2023.