

<b>Tab 1</b>	<b>SB 158 by Hutson; (Identical to H 0083) Identification Cards and Driver Licenses</b>									
847208	D	S	RCS	TR, Simpson	Delete everything after 10/08 10:12 AM					

**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**TRANSPORTATION**  
**Senator Brandes, Chair**  
**Senator Bullard, Vice Chair**

**MEETING DATE:** Thursday, October 8, 2015  
**TIME:** 9:00—11:00 a.m.  
**PLACE:** *Mallory Horne Committee Room, 37 Senate Office Building*

**MEMBERS:** Senator Brandes, Chair; Senator Bullard, Vice Chair; Senators Braynon, Evers, Grimsley, Simpson, and Thompson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 158</b> Hutson (Identical H 83)	Identification Cards and Driver Licenses; Providing for a person's status as a lifetime freshwater fishing, saltwater fishing, hunting, or sportsman licensee, or boater safety identification cardholder, to be indicated on his or her identification card or driver license upon payment of an additional fee and presentation of the person's lifetime freshwater fishing, saltwater fishing, hunting, or sportsman's license, or boater safety identification card; providing a waiver of the replacement fee in certain circumstances, etc.  TR     10/08/2015 Fav/CS ATD AP	Fav/CS Yeas 5 Nays 0
2	Presentation by OPPAGA: Driver License Suspensions		Presented
Other Related Meeting Documents			

**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.)

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Prepared By: The Professional Staff of the Committee on Transportation

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BILL: CS/SB 158

INTRODUCER: Transportation Committee and Senator Hutson

SUBJECT: Identification Cards and Driver Licenses

DATE: October 8, 2015

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jones	Eichin	TR	<b>Fav/CS</b>
2.			ATD	
3.			AP	

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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**I. Summary:**

CS/SB 158 provides that an individual who holds a lifetime fishing, hunting, or sportsman's license, or a lifetime boater safety identification card may pay a fee of \$1 to have a symbol displaying that lifetime status added to the individual's driver license or identification card when the driver license or identification card is being issued, which can be used as proof of possession of the lifetime license or card.

An individual who surrenders and replaces his or her driver license or identification card before its expiration date with the sole purpose to include the applicant's status as a lifetime fishing, hunting, or sportsman licensee holder, or lifetime boater safety cardholder is required to pay a \$2 fee for the license or card instead of the \$25 replacement fee.

**II. Present Situation:**

**Designations on Driver Licenses or Identification Cards**

Currently, the only designation an individual may pay an additional fee for to be placed on his or her driver license or identification card is a "V" for a veteran.<sup>1</sup> The designation is available at the request of a military veteran who presents proof of military service and pays an additional \$1 fee when the card or license is being issued or renewed, or pays a \$2 fee for a replacement. The

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<sup>1</sup> See ss. 322.051(8)(b) and 322.14(1)(c), F.S.

\$2 fee covers the \$1.97 cost of the card stock.<sup>2</sup> If the applicant is not conducting any other transaction affecting the license or card, the replacement may be issued without payment of the \$25 renewal fee. A veteran may be issued a driver license or identification card that displays “Veteran” instead of “V” upon implementation of the new design for the driver license and identification card by the Department of Highway Safety and Motor Vehicles (DHSMV).<sup>3</sup>

Other states, such as New York and West Virginia, allow symbols on driver licenses and identification cards to represent that an individual holds a certain hunting or fishing license.<sup>4</sup>

### **Replacement Driver Licenses and Identification Cards**

A replacement Class E driver license is \$25. If the replacement license is issued by the tax collector, \$7 is retained by the tax collector, otherwise the \$7 is deposited into the Highway Safety Operating Trust Fund. The remaining \$18 is deposited into the General Revenue Fund.<sup>5</sup>

A replacement identification card is \$25. If the replacement card is issued by the tax collector, \$9 is retained by the tax collector, otherwise the \$9 is deposited into the Highway Safety Operating Trust Fund. The remaining \$16 is deposited into the General Revenue Fund.<sup>6</sup>

Section 322.19, F.S., requires a person to obtain a replacement license reflecting changes to their legal residence or address within 10 days of the change. Generally, an individual who replaces his or her driver license or identification card to display changes such as a name change, address change, or organ donor designation must pay the \$25 fee to receive a replacement.

### **Recreational Lifetime Hunting and Fishing Licenses**

The Florida Fish and Wildlife Conservation Commission (FWC) issues recreational fishing, and hunting licenses for the State of Florida, as well as boater safety identification cards.

Every person, unless exempt as provided in s. 379.353, F.S., taking game, fish, or fur-bearing animals within this state is required to have a hunting or fishing license, permit, or authorization number authorizing that activity.<sup>7</sup> The license, permit, or authorization number must be in the personal possession of the person to whom it was issued while that person is taking, attempting to take, or possessing game, fish, or fur-bearing animals.<sup>8</sup>

Lifetime hunting and fishing licenses are only available to Florida residents, and are valid from the date they are issued until the death of the individual to whom the license is issued, unless

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<sup>2</sup> Department of Highway Safety and Motor Vehicles, *HB 83/SB 158 Agency Bill Analysis* (Sept. 24, 2015) (on file with the Senate Committee on Transportation).

<sup>3</sup> Section 4, ch. 2015-85, Laws of Fla.

<sup>4</sup> See West Virginia Division of Natural Resources, <http://www.wvdnr.gov/2015news/15news017.shtm> and New York State Department of Environmental Conservation, <http://www.dec.ny.gov/permits/6099.html> (last visited Oct. 1, 2015).

<sup>5</sup> Section 322.21(1)(e), F.S.

<sup>6</sup> Section 322.21(1)(f)3., F.S.

<sup>7</sup> Section 379.354(1), F.S.

<sup>8</sup> Section 379.354(2), F.S.

revoked.<sup>9</sup> Currently, more than 42,400 people possess a lifetime license and more than 2,600 hold two or more lifetime licenses.<sup>10</sup>

### ***Resident Lifetime Freshwater or Saltwater Fishing Licenses<sup>11</sup>***

Lifetime fishing licenses are available to residents for a fee of:

- \$125 for persons age 4 or younger;
- \$225 for persons age 5 to 12; and
- \$300 for persons age 13 or older.

As of August 2015, the FWC has 2,861 active lifetime freshwater fishing licenses.<sup>12</sup> A lifetime freshwater fishing license also allows all activities authorized by a management area permit<sup>13</sup>, excluding hunting.

As of August 2015, the FWC has 18,314 active lifetime saltwater fishing licenses.<sup>14</sup> A lifetime saltwater fishing license also allows the license holder to take or possess snook and spiny lobster.

### ***Resident Lifetime Hunting Licenses<sup>15</sup>***

As of August 2015, the FWC has 1,578 active lifetime hunting licenses.<sup>16</sup> Lifetime hunting licenses are available to residents for a fee of:

- \$200 for persons age 4 or younger;
- \$350 for persons age 5 to 12; and
- \$500 for persons age 13 or older.

In addition to authorizing the take or attempted take or possession of game animals<sup>17</sup>, a lifetime hunting license also allows all activities authorized by a muzzle-loading gun season permit, a crossbow season permit, a turkey permit, an archery season permit, a Florida waterfowl permit, a deer permit, and a management area permit, excluding fishing.

### ***Resident Lifetime Sportsman's Licenses<sup>18</sup>***

As of August 2015, the FWC has 22,409 active lifetime Sportsman's licenses.<sup>19</sup> A Lifetime Sportsman's license provides individuals with the same authorizations as having a lifetime

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<sup>9</sup> As provided for in ss. 379.401 or 379.404, F.S.

<sup>10</sup> Florida Fish and Wildlife Conservation Commission, *Senate Bill 158 Agency Bill Analysis* (Sept. 4, 2015) (on file with the Senate Committee on Transportation).

<sup>11</sup> Section 379.354(10), F.S.

<sup>12</sup> DHSMV Agency Analysis, *supra* note 2

<sup>13</sup> Section 379.354(8)(g), F.S., provides that a management area permit holder may hunt on, fish on, or otherwise use for outdoor recreational purposes land owned, leased, or managed by the commission, or by the state for the use and benefit of the commission.

<sup>14</sup> DHSMV Agency Analysis, *supra* note 2

<sup>15</sup> Section 379.354(11), F.S.

<sup>16</sup> DHSMV Agency Analysis, *supra* note 2

<sup>17</sup> As defined in s. 379.101(20), F.S., "Game" means deer, bear, squirrel, rabbits, and, where designated by commission rules, wild hogs, ducks, geese, rails, coots, gallinules, snipe, woodcock, wild turkeys, grouse, pheasants, quail, and doves.

<sup>18</sup> Section 379.354(12), F.S.

<sup>19</sup> DHSMV Agency Analysis, *supra* note 2

freshwater fishing license, a lifetime saltwater fishing license, *and* a lifetime hunting license. A lifetime sportsman's license is available to residents for a fee of:

- \$400 for persons age 4 or younger;
- \$700 for persons age 5 to 12; and
- \$1,000 for persons age 13 or older.

### **Boater Safety Identification Cards<sup>20</sup>**

A person born on or after January 1, 1988, and who is operating a boat powered by a motor of more than 10 horsepower, must have in his or her possession a boater safety identification card, acquired from the FWC for completing approved boater safety education. A person is exempt from this requirement if he or she:

- Is licensed by the Coast Guard to serve as a master of a vessel;
- Is operating a vessel only on a private lake or pond;
- Is accompanied on the boat by a person who is at least 18 years of age, who is exempt or who has complied with the requirement, and is attendant to the operation of the vessel and responsible for the safe operation of the vessel and for any violation that occurs while it is being operated;
- Is a nonresident who has in his or her possession proof of completion of a boater education course or equivalency examination in another state which meets or exceeds Florida's requirements;
- Is operating a vessel within 90 days of purchase with a valid bill of sale; or
- Is operating a vessel within 90 days of completing the boater safety education course and has valid photo identification as well as the boater safety completion certificate in his or her possession.

Any person, regardless of age, may complete the boater safety education course, and all who do so will be issued a boater safety identification card. A boater safety identification card issued to a person who has completed a boater education course or a course equivalency examination is valid for life. More than 441,000 people hold Florida boater safety identification cards.<sup>21</sup>

### **III. Effect of Proposed Changes:**

**Sections 1 and 2** of the bill allow an individual who holds and presents a lifetime freshwater fishing license, a lifetime saltwater fishing license, a lifetime hunting license, a lifetime sportsman's license, or a lifetime boater safety identification card, for a fee of \$1, to have a symbol displaying that lifetime status voluntarily added to his or her driver license or identification card when the driver license or identification card is being issued.

An individual who surrenders and replaces his or her driver license or identification card with the sole purpose to include his or her status as a lifetime fishing, hunting, or sportsman's licensee holder or a lifetime boater safety cardholder is required to pay a \$2 fee that will be deposited into the Highway Safety Operating Trust Fund. The replacement license or card is not subject to the \$25 replacement fee required by s. 322.21(1), F.S.

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<sup>20</sup> Section 327.395, F.S.

<sup>21</sup> FWC Analysis, *supra* note 10.

The bill also makes a technical change to ensure the issuance of a replacement driver license or identification card *shall*, rather than *may*, be issued with the word “Veteran” without paying the \$25 replacement fee. This aligns with the DHSMV’s current practice.<sup>22</sup>

**Sections 3 and 4** allow the state-issued identification card or driver license displaying the lifetime designation to be used as proof of possession of that lifetime license or card.

**Section 5** provides that the changes made to the driver license and identification card by this bill will apply upon implementation of new designs for the driver license and identification card by the DHSMV.

The bill takes effect July 1, 2016.

#### **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:

Under CS/SB 158, individuals requesting lifetime hunting, fishing, or sportsman’s license, or lifetime boater safety identification card designations must pay an additional \$1 fee when being issued a driver license or identification card. An individual who surrenders and replaces his or her driver license or identification card with the sole purpose of adding such designations may pay a \$2 fee, instead of the \$25 replacement fee.

C. Government Sector Impact:

The additional \$1 fee may have a positive fiscal impact on the DHSMV. However, it is unknown how many individuals may apply for the designations. Additionally, the bill

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<sup>22</sup> DHSMV Agency Analysis, *supra* note 2

may have a negative fiscal impact to the General Revenue Fund and the Highway Safety Operating Trust Fund or tax collector due to an individual being able to replace his or her identification card or driver license without payment of the \$25 replacement fee, if the sole intention is to add the designation.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

It is unclear how a suspension or revocation of either an individual's driver license or one or more of the other relevant licenses would be accommodated.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 322.051, 322.14, 327.395, and 379.354.

**IX. Additional Information:**

- A. **Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Transportation on October 8, 2015:**

The CS requires the DHSMV to include symbols on the identification card or driver license representing the lifetime recreational license or card instead of specified language or abbreviations. The CS adds that the identification card or driver license displaying such symbol is a valid proof of possession of the indicated lifetime card or recreational license. Additionally, the CS adds that the changes made by the bill to the identification card and driver license will apply upon implementation of new designs for the driver license and identification card by the DHSMV.

- B. **Amendments:**

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
10/08/2015	.	
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The Committee on Transportation (Simpson) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (b) of subsection (8) of section  
322.051, Florida Statutes, is amended, and paragraph (c) is  
added to that subsection, to read:

322.051 Identification cards.—

(8)

(b) The word "Veteran" shall be exhibited on the



11 identification card of a veteran upon the payment of an  
12 additional \$1 fee for the identification card and the  
13 presentation of a copy of the person's DD Form 214, issued by  
14 the United States Department of Defense, or another acceptable  
15 form specified by the Department of Veterans' Affairs. Until a  
16 veteran's identification card is next renewed, the veteran may  
17 have the word "Veteran" added to his or her identification card  
18 upon surrender of his or her current identification card,  
19 payment of a \$2 fee to be deposited into the Highway Safety  
20 Operating Trust Fund, and presentation of a copy of his or her  
21 DD Form 214 or another acceptable form specified by the  
22 Department of Veterans' Affairs. If the applicant is not  
23 conducting any other transaction affecting the identification  
24 card, a replacement identification card shall ~~may~~ be issued with  
25 the word "Veteran" without payment of the fee required in s.  
26 322.21(1)(f)3.

27 (c) The department shall include symbols representing the  
28 following on an identification card upon the payment of an  
29 additional \$1 fee by an applicant who meets the requirements of  
30 subsection (1) and presents his or her:

- 31 1. Lifetime freshwater fishing license;
- 32 2. Lifetime saltwater fishing license;
- 33 3. Lifetime hunting license;
- 34 4. Lifetime sportsman's license; or
- 35 5. Lifetime boater safety identification card.

36  
37 A person may replace his or her identification card before its  
38 expiration date with a card that includes his or her status as a  
39 lifetime licensee or boater safety cardholder upon surrender of



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40 his or her current identification card, payment of a \$2 fee to  
41 be deposited into the Highway Safety Operating Trust Fund, and  
42 presentation of the person's lifetime license or card. If the  
43 sole purpose of the replacement identification card is the  
44 inclusion of the applicant's status as a lifetime licensee or  
45 cardholder, the replacement identification card must be issued  
46 without payment of the fee required in s. 322.21(1)(f)3.

47 Section 2. Paragraph (c) of subsection (1) of section  
48 322.14, Florida Statutes, is amended, and paragraph (d) is added  
49 to that subsection, to read:

50 322.14 Licenses issued to drivers.—

51 (1)

52 (c) The word "Veteran" shall be exhibited on the driver  
53 license of a veteran upon the payment of an additional \$1 fee  
54 for the license and the presentation of a copy of the person's  
55 DD Form 214, issued by the United States Department of Defense,  
56 or another acceptable form specified by the Department of  
57 Veterans' Affairs. Until a veteran's license is next renewed,  
58 the veteran may have the word "Veteran" added to his or her  
59 license upon surrender of his or her current license, payment of  
60 a \$2 fee to be deposited into the Highway Safety Operating Trust  
61 Fund, and presentation of a copy of his or her DD Form 214 or  
62 another acceptable form specified by the Department of Veterans'  
63 Affairs. If the applicant is not conducting any other  
64 transaction affecting the driver license, a replacement license  
65 shall ~~may~~ be issued with the word "Veteran" without payment of  
66 the fee required in s. 322.21(1)(e).

67 (d) The department shall include symbols representing the  
68 following on a driver license upon the payment of an additional



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69 \$1 fee by an applicant who meets the requirements of s. 322.08  
70 and presents his or her:

- 71 1. Lifetime freshwater fishing license;
- 72 2. Lifetime saltwater fishing license;
- 73 3. Lifetime hunting license;
- 74 4. Lifetime sportsman's license; or
- 75 5. Lifetime boater safety identification card.

76  
77 A person may replace his or her driver license before its  
78 expiration date with a license that includes his or her status  
79 as a lifetime licensee or boater safety cardholder upon  
80 surrender of his or her current driver license, payment of a \$2  
81 fee to be deposited into the Highway Safety Operating Trust  
82 Fund, and presentation of the person's lifetime license or  
83 identification card. If the sole purpose of the replacement  
84 driver license is the inclusion of the applicant's status as a  
85 lifetime licensee or cardholder, the replacement driver license  
86 must be issued without payment of the fee required in s.  
87 322.21(1)(e).

88 Section 3. Subsection (1) of section 327.395, Florida  
89 Statutes, is amended to read:

90 327.395 Boating safety identification cards.—

91 (1) A person born on or after January 1, 1988, may not  
92 operate a vessel powered by a motor of 10 horsepower or greater  
93 unless such person has in his or her possession aboard the  
94 vessel photographic identification and a boater safety  
95 identification card issued by the commission, or a state-issued  
96 identification card or driver license indicating possession of  
97 the boater safety identification card, which shows that he or



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98 she has:

99 (a) Completed a commission-approved boater education course  
100 that meets the minimum 8-hour instruction requirement  
101 established by the National Association of State Boating Law  
102 Administrators;

103 (b) Passed a course equivalency examination approved by the  
104 commission; or

105 (c) Passed a temporary certificate examination developed or  
106 approved by the commission.

107 Section 4. Subsection (3) of section 379.354, Florida  
108 Statutes, is amended to read:

109 379.354 Recreational licenses, permits, and authorization  
110 numbers; fees established.—

111 (3) PERSONAL POSSESSION REQUIRED.—Each recreational  
112 license, state-issued identification card or driver license  
113 indicating possession of a recreational license, permit, or  
114 authorization number must be in the personal possession of the  
115 person to whom it is issued while ~~the~~ such person is taking,  
116 attempting to take, or possessing game, freshwater or saltwater  
117 fish, or fur-bearing animals. Any person taking, attempting to  
118 take, or possessing game, freshwater or saltwater fish, or fur-  
119 bearing animals who fails to produce a recreational license,  
120 state-issued identification card or driver license indicating  
121 possession of a recreational license, permit, or authorization  
122 number at the request of a commission law enforcement officer  
123 commits a violation of the law.

124 Section 5. The amendments made by this act to s. 322.051  
125 and s. 322.14, Florida Statutes, shall apply upon implementation  
126 of new designs for the driver license and identification card by



127 the Department of Highway Safety and Motor Vehicles.

128 Section 6. This act shall take effect July 1, 2016.

129

130 ===== T I T L E A M E N D M E N T =====

131 And the title is amended as follows:

132 Delete everything before the enacting clause

133 and insert:

134 A bill to be entitled

135 An act relating to identification cards and driver

136 licenses; amending ss. 322.051 and 322.14, F.S.;

137 providing for a person's status as a lifetime

138 freshwater fishing, saltwater fishing, hunting, or

139 sportsman licensee, or boater safety identification

140 cardholder, to be indicated on his or her

141 identification card or driver license upon payment of

142 an additional fee and presentation of the person's

143 lifetime freshwater fishing, saltwater fishing,

144 hunting, or sportsman's license, or boater safety

145 identification card; providing a waiver of the

146 replacement fee in certain circumstances; amending s.

147 327.395, F.S.; prohibiting a person born on or after a

148 certain date from operating a certain vessel unless

149 such person has in his or her possession aboard the

150 vessel photographic identification and a boater safety

151 identification card or a state-issued identification

152 card or driver license which meets certain

153 requirements; amending s. 379.354, F.S.; requiring

154 each state-issued identification card or driver

155 license indicating possession of certain recreational



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156 licenses to be in the personal possession of the  
157 person to whom such license is issued while the person  
158 is taking, attempting to take, or possessing game,  
159 freshwater or saltwater fish, or fur-bearing animals;  
160 providing applicability; providing an effective date.

By Senator Hutson

6-00050-16

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1 A bill to be entitled  
 2 An act relating to identification cards and driver  
 3 licenses; amending ss. 322.051 and 322.14, F.S.;  
 4 providing for a person's status as a lifetime  
 5 freshwater fishing, saltwater fishing, hunting, or  
 6 sportsman licensee, or boater safety identification  
 7 cardholder, to be indicated on his or her  
 8 identification card or driver license upon payment of  
 9 an additional fee and presentation of the person's  
 10 lifetime freshwater fishing, saltwater fishing,  
 11 hunting, or sportsman's license, or boater safety  
 12 identification card; providing a waiver of the  
 13 replacement fee in certain circumstances; providing an  
 14 effective date.

15

16 Be It Enacted by the Legislature of the State of Florida:

17

18 Section 1. Paragraph (b) of subsection (8) of section  
 19 322.051, Florida Statutes, is amended, and paragraph (c) is  
 20 added to that subsection, to read:

21 322.051 Identification cards.—

22 (8)

23 (b) The word "Veteran" shall be exhibited on the  
 24 identification card of a veteran upon the payment of an  
 25 additional \$1 fee for the identification card and the  
 26 presentation of a copy of the person's DD Form 214, issued by  
 27 the United States Department of Defense, or another acceptable  
 28 form specified by the Department of Veterans' Affairs. Until a  
 29 veteran's identification card is next renewed, the veteran may

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**CODING:** Words ~~stricken~~ are deletions; words underlined are additions.

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30 have the word "Veteran" added to his or her identification card  
 31 upon surrender of his or her current identification card,  
 32 payment of a \$2 fee to be deposited into the Highway Safety  
 33 Operating Trust Fund, and presentation of a copy of his or her  
 34 DD Form 214 or another acceptable form specified by the  
 35 Department of Veterans' Affairs. If the applicant is not  
 36 conducting any other transaction affecting the identification  
 37 card, a replacement identification card ~~shall~~ may be issued with  
 38 the word "Veteran" without payment of the fee required in s.  
 39 322.21(1)(f)3.

40 (c) The department shall include the following words, or  
 41 standard abbreviations for those words, on an identification  
 42 card upon the payment of an additional \$1 fee by an applicant  
 43 who meets the requirements of subsection (1) and presents a  
 44 lifetime license or card:

45 1. If the applicant holds a lifetime freshwater fishing  
 46 license, the words "Lifetime Freshwater Fishing."

47 2. If the applicant holds a lifetime saltwater fishing  
 48 license, the words "Lifetime Saltwater Fishing."

49 3. If the applicant holds a lifetime hunting license, the  
 50 words "Lifetime Hunting."

51 4. If the applicant holds a lifetime sportsman's license,  
 52 the words "Lifetime Sportsman."

53 5. If the applicant holds a lifetime boater safety  
 54 identification card, the words "Lifetime Safe Boater."

55

56 A person may replace his or her identification card before its  
 57 expiration date with a card that includes his or her status as a  
 58 lifetime licensee or boater safety cardholder upon surrender of

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59 his or her current identification card, payment of a \$2 fee to  
 60 be deposited into the Highway Safety Operating Trust Fund, and  
 61 presentation of the person's lifetime license or card. If the  
 62 sole purpose of the replacement identification card is the  
 63 inclusion of the applicant's status as a lifetime licensee or  
 64 cardholder, the replacement identification card shall be issued  
 65 without payment of the fee required in s. 322.21(1)(f)3.

66 Section 2. Paragraph (c) of subsection (1) of section  
 67 322.14, Florida Statutes, is amended, and paragraph (d) is added  
 68 to that subsection, to read:

69 322.14 Licenses issued to drivers.—

70 (1)

71 (c) The word "Veteran" shall be exhibited on the driver  
 72 license of a veteran upon the payment of an additional \$1 fee  
 73 for the license and the presentation of a copy of the person's  
 74 DD Form 214, issued by the United States Department of Defense,  
 75 or another acceptable form specified by the Department of  
 76 Veterans' Affairs. Until a veteran's license is next renewed,  
 77 the veteran may have the word "Veteran" added to his or her  
 78 license upon surrender of his or her current license, payment of  
 79 a \$2 fee to be deposited into the Highway Safety Operating Trust  
 80 Fund, and presentation of a copy of his or her DD Form 214 or  
 81 another acceptable form specified by the Department of Veterans'  
 82 Affairs. If the applicant is not conducting any other  
 83 transaction affecting the driver license, a replacement license  
 84 shall ~~may~~ be issued with the word "Veteran" without payment of  
 85 the fee required in s. 322.21(1)(e).

86 (d) The department shall include the following words, or  
 87 standard abbreviations for those words, on a driver license upon

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88 the payment of an additional \$1 fee by an applicant who meets  
 89 the requirements of s. 322.08 and presents a lifetime license or  
 90 identification card:

91 1. If the applicant holds a lifetime freshwater fishing  
 92 license, the words "Lifetime Freshwater Fishing."

93 2. If the applicant holds a lifetime saltwater fishing  
 94 license, the words "Lifetime Saltwater Fishing."

95 3. If the applicant holds a lifetime hunting license, the  
 96 words "Lifetime Hunting."

97 4. If the applicant holds a lifetime sportsman's license,  
 98 the words "Lifetime Sportsman."

99 5. If the applicant holds a lifetime boater safety  
 100 identification card, the words "Lifetime Safe Boater."

101  
 102 A person may replace his or her driver license before its  
 103 expiration date with a license that includes his or her status  
 104 as a lifetime licensee or boater safety cardholder upon  
 105 surrender of his or her current driver license, payment of a \$2  
 106 fee to be deposited into the Highway Safety Operating Trust  
 107 Fund, and presentation of the person's lifetime license or  
 108 identification card. If the sole purpose of the replacement  
 109 driver license is the inclusion of the applicant's status as a  
 110 lifetime licensee or cardholder, the replacement driver license  
 111 shall be issued without payment of the fee required in s.  
 112 322.21(1)(e).

113 Section 3. This act shall take effect July 1, 2016.

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.



# Options Exist to Modify Use of Driver License Suspension for Non-Driving-Related Reasons

*Presentation to the Senate Committee on Transportation*

**D. Byron Brown, Chief Legislative Analyst**

October 8, 2015

# Project Scope for February 2014 Report

- How many driver licenses are suspended or revoked for non-driving-related reasons?
- How many driver licenses are reinstated after suspension or revocation and how long does it take for the licenses to be reinstated?
- What alternatives could the Legislature consider to suspending or revoking driver licenses for non-driving-related reasons?

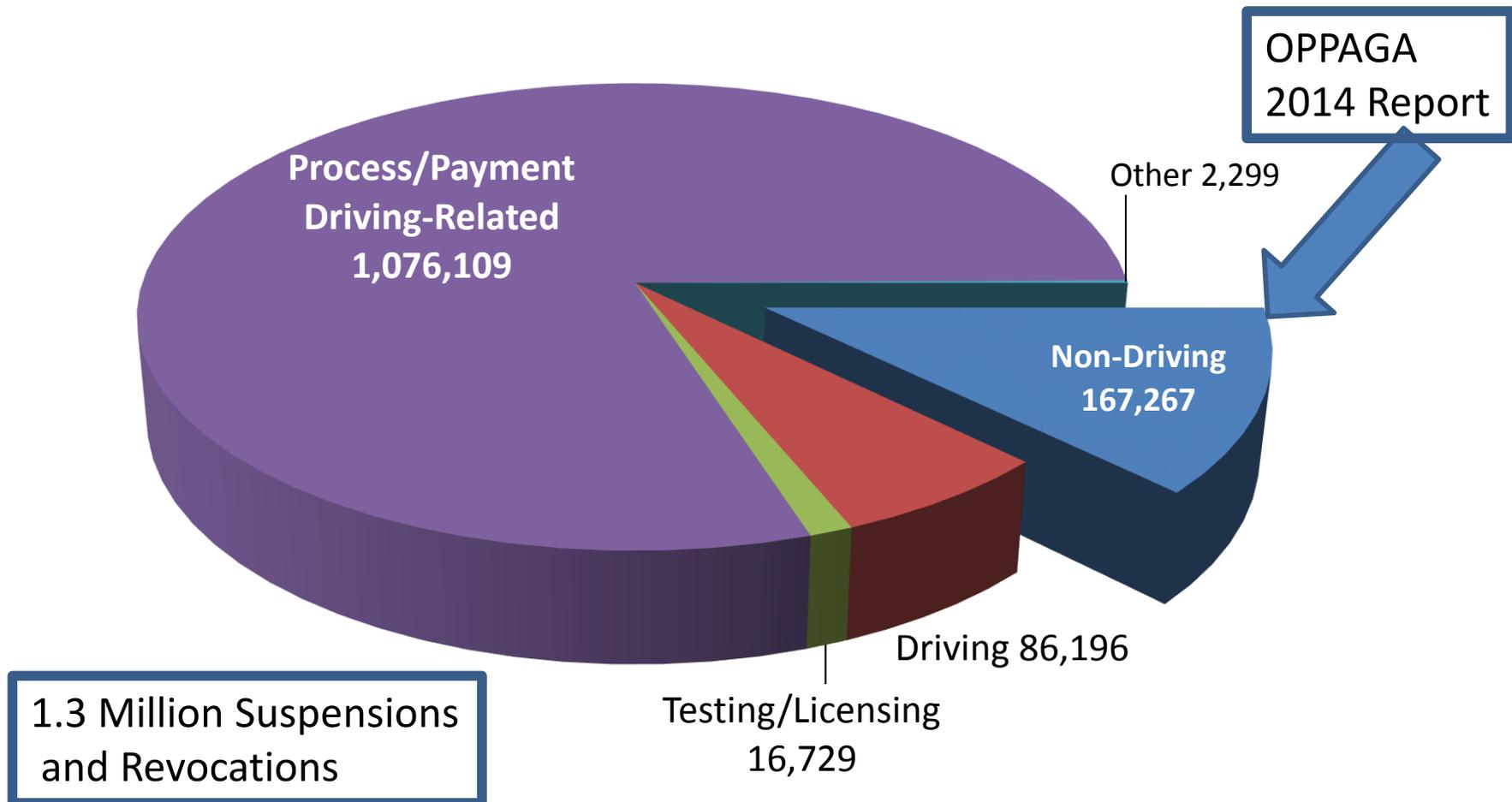
# Since the Report

- The Legislature passed Chapter 2014-216, *Laws of Florida*, that addressed issues raised in our report

# Revocations and Suspensions Occur for Many Reasons

- Driving reasons
  - Vehicular homicide
  - Driving under the influence of alcohol
  - Habitual traffic offender
- Non-driving reasons, but originally a driving issue
  - Failure to pay traffic fine
  - Failure to appear on traffic summons
  - Failure to complete court-ordered school

# Most Suspensions and Revocations Were for Driving-Related Payment and Process Issues in Fiscal Year 2012-2013



Source: OPPAGA analysis of Department of Highway Safety and Motor Vehicles data.

# Failure to Pay Court Financial Obligations or Child Support Were Common Reasons for Driver License Suspensions

**Fiscal Year 2012-13**

## **Non-Driving-Related Suspension or Revocations** **Number<sup>1</sup>**

Failure to Pay Court Financial Obligations	70,216
Failure to Pay Child Support	68,223
Conviction of Drug-Related Offense	19,024
Non-Compliance With School Attendance	4,020
Failure to Appear–Worthless Check	1,829
Conviction of Theft Offense	462
<b>Other Non-Driving Suspensions or Revocations<sup>2</sup></b>	<b>3,493</b>
<b>Total</b>	<b>167,267</b>

Federally required

<sup>1</sup> Numbers represent the total number of licenses suspended or revoked for non-driving-related reasons. An individual can have more than one suspension or revocation in a category or across categories.

<sup>2</sup> Other non-driving-related suspensions and revocations include age-related violations such as possession of tobacco or alcohol by a minor, placing graffiti on any public property or private property by a minor, possession of a firearm by a minor, and providing alcohol to a minor. Also included are court-ordered suspensions (for adults and juveniles) and fraudulent insurance claim offenses.

Source: Department of Highway Safety and Motor Vehicles.

# Driving Privileges Can Be Reinstated

- People can have their driving privileges reinstated when they fulfill certain requirements
- Requirements vary by infraction that resulted in suspension or revocation
  - ▶ Fulfillment of legal and financial obligations
  - ▶ Reinstatement fees
  - ▶ Minimum time periods

# Suspensions for Failure to Make Child Support Payments Accounted for More Than Half of Reinstatements in Fiscal Year 2012-13

Non-Driving Related Suspensions or Revocations	Reinstatements
Failure to Pay Child Support	51,642
Failure to Pay Court Financial Obligations	26,420
Conviction of Drug-Related Offense	11,318
Non-Compliance With School Attendance	4,345
Failure to Appear–Worthless Check	1,993
Conviction of Theft Offense	240
Other Non-Driving Suspensions and Revocations <sup>1</sup>	2,507
<b>Total Non-Driving-Related</b>	<b>98,465</b>

<sup>1</sup> Individuals with more than one suspension or revocation must meet reinstatement requirements for each suspension or revocation.

<sup>2</sup> Other non-driving-related suspensions and revocations included age-related violations such as possession of tobacco or alcohol by a minor, placing graffiti on any public property or private property by a minor, possession of a firearm by a minor, and providing alcohol to a minor. Also included were court-ordered suspensions (for adults and juveniles) and fraudulent insurance claim offenses.

Source: Department of Highway Safety and Motor Vehicles.

# Length of Time Prior to Reinstatement Varied Depending on the Type of Suspension or Revocation

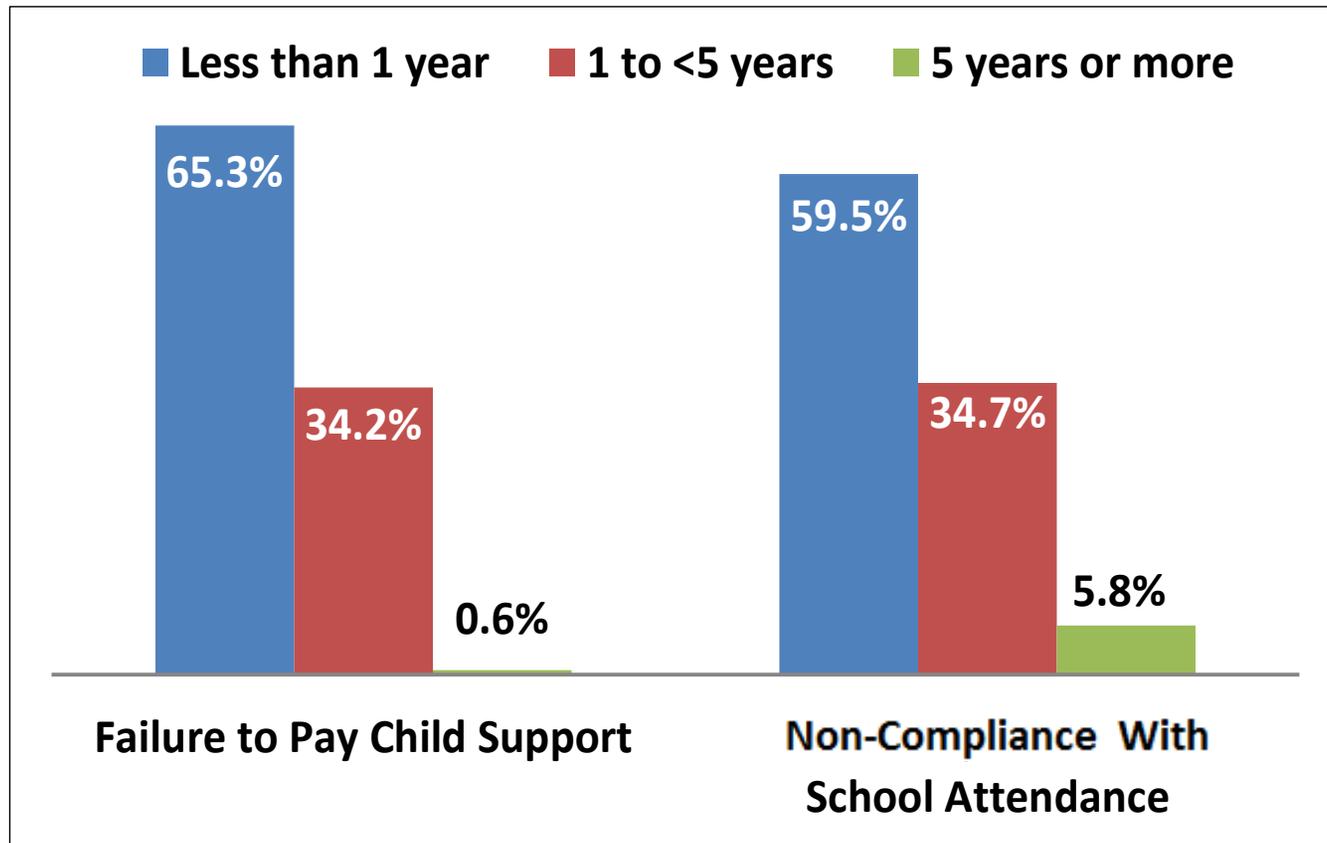
Type of Suspension or Revocation	<6 months	6 months to <1 year	1 year to <2 years	2 years to <5 years	5 years or more	Total Reinstatements Fiscal Year 2012-13
Failure to Pay Child Support	25,936	7,776	8,609	9,034	287	51,642
Failure to Pay Court Financial Obligations	6,727	3,073	4,955	8,951	2,714	26,420
Non-Compliance With School Attendance	1,726	860	839	667	253	4,345
Failure to Appear—Worthless Check	363	178	157	441	854	1,993
<b>Suspensions or Revocations With Minimum Statutory Time Periods</b>						
Conviction of Drug-Related Offense <sup>1</sup>	59	709	685	5,976	3,889	11,318
Conviction of Theft Offense <sup>2</sup>	21	55	43	68	53	240

<sup>1</sup> For drug-related convictions, licenses were initially revoked for two years, but could be reinstated after six months if the offender met certain conditions. In addition, some business purpose-only hardship waivers allowed for licenses to be reinstated in less than six months.

<sup>2</sup> For theft offense convictions, the first suspension imposed by the court could be for a period of up to six months; subsequent suspensions were mandatory for one year.

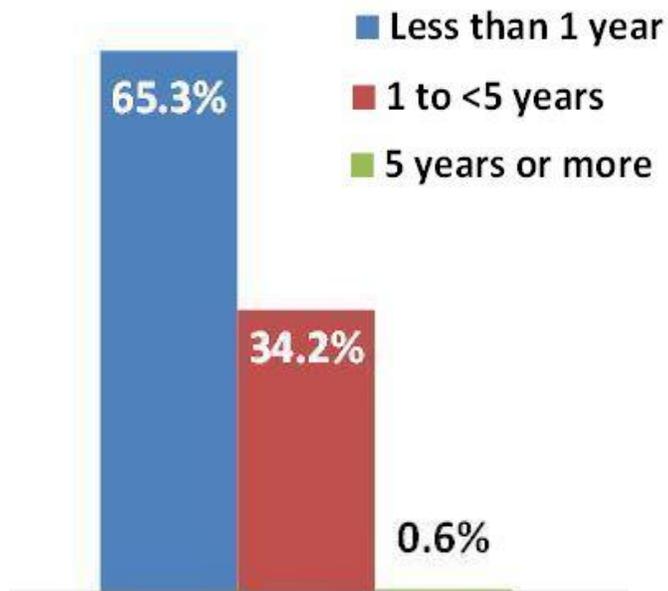
Source: Department of Highway Safety and Motor Vehicles.

# Most Suspensions for Delinquent Child Support and Truancy Were Reinstated Fairly Quickly in Fiscal Year 2012-13



Source: OPPAGA analysis of data from the Department of Highway Safety and Motor Vehicles.

# Driver License Suspension Appears to Be Effective Compliance Tool for Child Support



Source: OPPAGA analysis of data from the Department of Highway Safety and Motor Vehicles.

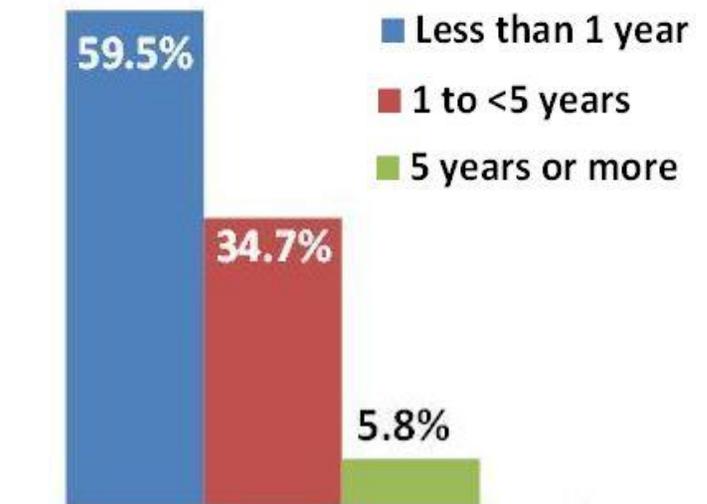
## Child Support

- Many parents comply after threat of suspension
- Even after suspension occurs, almost 2/3 of reinstatements were made in less than one year

# More Information Is Needed to Determine Effectiveness Related to School Truancy

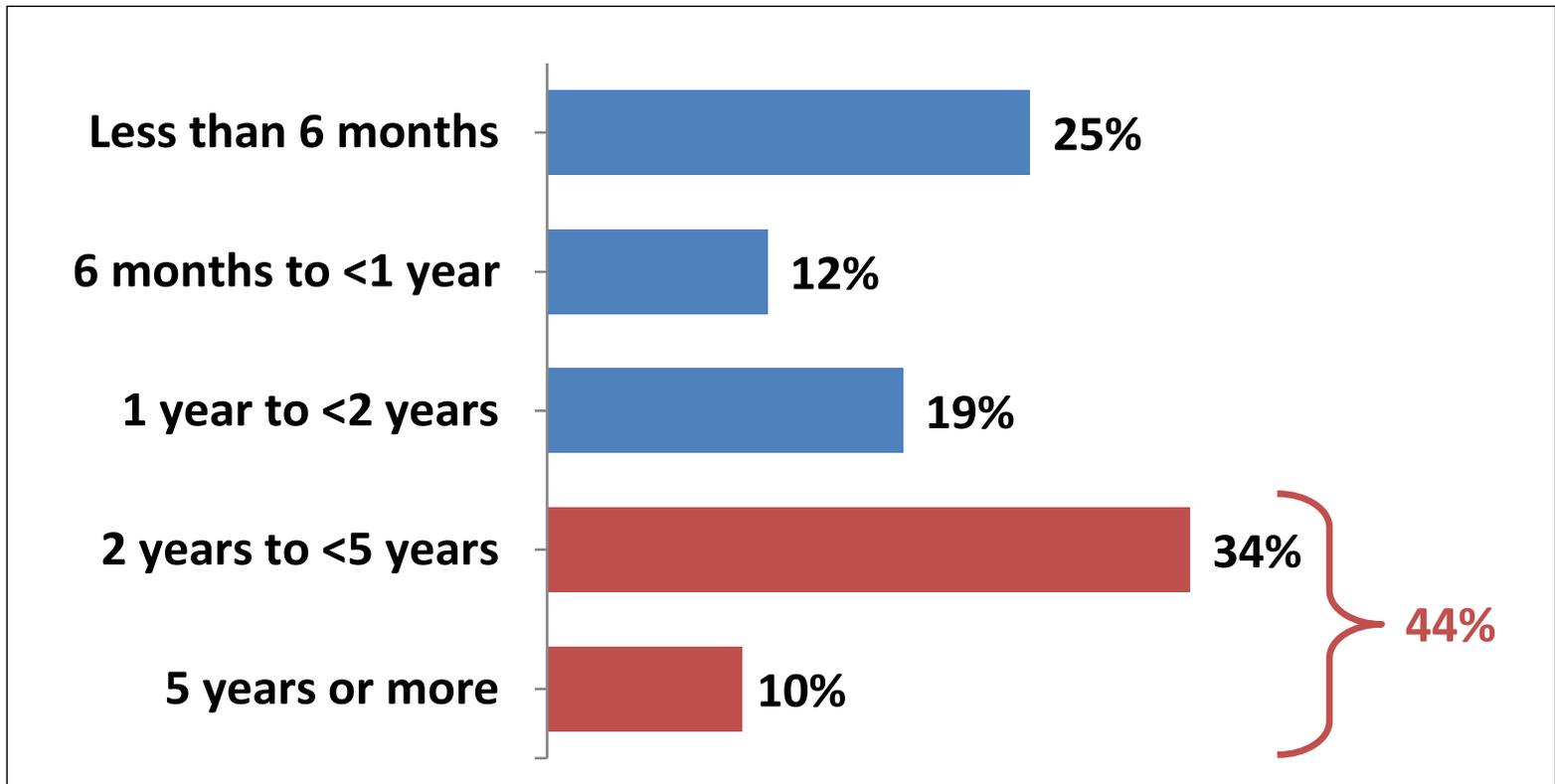
## Truancy

- Minors can reinstate their license by complying with educational requirements or reaching age 18
- 64% of the reinstatements were for individuals age 18 or older
- More information is needed on reasons for reinstatement



Source: OPPAGA analysis of data from the Department of Highway Safety and Motor Vehicles.

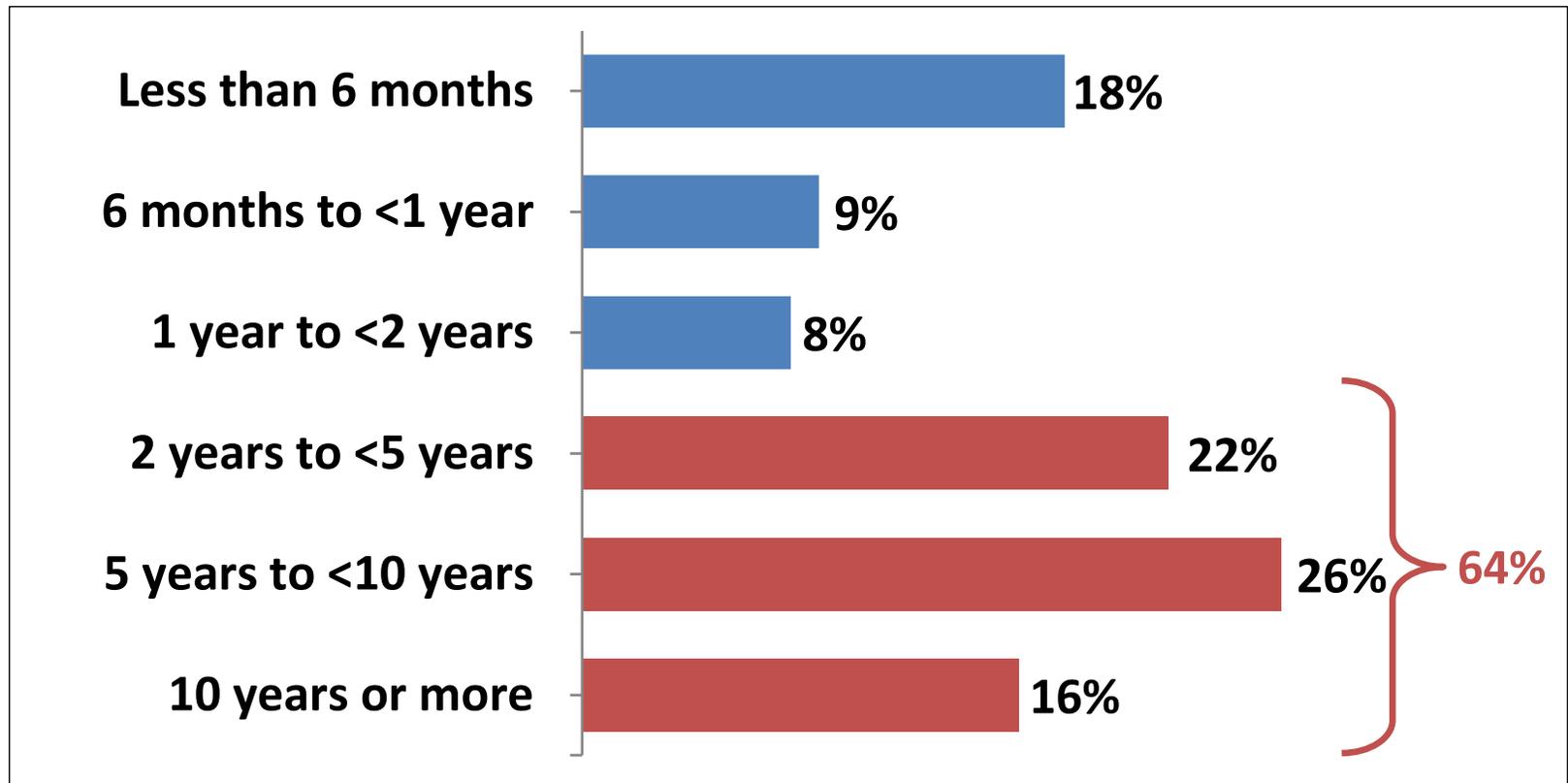
# For Failure to Pay Court Financial Obligations, Many of the Licenses Reinstated in Fiscal Year 2012-13 Had Been Suspended for Two Years or More



Note: Driver licenses were not suspended for failure to pay court financial obligations until the passage of Ch. 2004-265, *Laws of Florida*, so no suspensions for this reason have been in force for more than 10 years.

Source: Department of Highway Safety and Motor Vehicles.

# For Failure to Appear on Worthless Check Charges, Most of the Licenses Reinstated in Fiscal Year 2012-13 Had Been Suspended for Two Years or More



Source: Department of Highway Safety and Motor Vehicles.

# Statutorily Required Timeframes Can Also Lengthen the Amount of Time to License Reinstatement

- Prior to 2014, conviction of a drug-related offense required a two-year driver license revocation
  - 87% of reinstatements for revocations were over 2 years old
    - ▶ 34% over 5 years old
- Prior to 2014, theft offenses require up to six months for the first suspension and a mandatory one year period for the second suspension
  - 49% of reinstatements for suspensions were over 2 years old

# Questions?



# Contact Information

**D. Byron Brown**

Chief Legislative Analyst

(850) 717-0569

[brown.byron@oppaga.fl.gov](mailto:brown.byron@oppaga.fl.gov)

**Claire Mazur**

Staff Director, Criminal and Civil Justice

(850) 717-0575

[mazur.claire@oppaga.fl.gov](mailto:mazur.claire@oppaga.fl.gov)

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/8/2015

Meeting Date

Bill Number (if applicable)

Topic DRIVERS LICENSE SUSPENSIONS

Amendment Barcode (if applicable)

Name BYRON BROWN

Job Title CHIEF LEGISLATIVE ANALYST

Address 111 W MADISON, Suite 312

Phone 850 717 0565

Street

Tallahassee

City

FL

State

32311

Zip

Email brown.byron@oppaga.fl.gov

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing OPPAGA

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

**This form is part of the public record for this meeting.**

THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/8/15

Meeting Date

n/a  
Bill Number (if applicable)

n/a  
Amendment Barcode (if applicable)

Topic Presentation by OPPAGA: Driver License

Suspensions

Name Judge Augustus Aikens

Job Title county court judge, 2nd Judicial Circuit

Address 301 South Monroe St.

Phone 850-606-4314

Street

Tallahassee

FL

32301

Email \_\_\_\_\_

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing n/a, appearing for information at the request of chair

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/8  
Meeting Date

Bill Number (if applicable)

Topic Failure to Comply

Amendment Barcode (if applicable)

Name Maureen Johnson

Job Title Bureau Chief of Records

Address 7900 Apachee Pkwy  
Street

Phone 617-3100

Tallah, FL  
City State Zip

Email

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing DHSMN

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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THE FLORIDA SENATE  
**APPEARANCE RECORD**

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

10/8

Meeting Date

Bill Number (if applicable)

Topic Failure to comply

Amendment Barcode (if applicable)

Name Jennifer Langston

Job Title Legislative Affairs Director

Address 2900 Apachee Pkwy

Phone 617-310

Street

Email

City

State

Zip

Speaking:  For  Against  Information

Waive Speaking:  In Support  Against  
(The Chair will read this information into the record.)

Representing DHSM

Appearing at request of Chair:  Yes  No

Lobbyist registered with Legislature:  Yes  No

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This form is part of the public record for this meeting.

S-001 (10/14/14)



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

## COMMITTEES:

Criminal Justice, *Chair*  
Appropriations Subcommittee on Finance and Tax  
Appropriations Subcommittee on Transportation,  
Tourism, and Economic Development  
Communications, Energy, and Public Utilities  
Military and Veterans Affairs, Space, and  
Domestic Security  
Transportation

## JOINT COMMITTEE:

Joint Committee on Public Counsel Oversight

**SENATOR GREG EVERS**

2nd District

Oct 8, 2015

To: Chair Brandes, Transportation Committee

From: Senator Greg Evers

Re: Excused Absence

Chairman Brandes,

Please excuse my absence from this morning's Transportation Committee. I have several meetings that could not be moved to accommodate the meeting schedule.

Respectfully Submitted,

Senator Greg Evers

## REPLY TO:

- 209 East Zaragoza Street, Pensacola, Florida 32502-6048 (850) 595-0213 FAX: (888) 263-0013
- 308 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5002
- 5324 Willing Street, Milton, FL 32570 (850) 564-1026 FAX: (850) 564-1170

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**DON GAETZ**  
President of the Senate

**GARRETT RICHTER**  
President Pro Tempore



# THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

**COMMITTEES:**

Communications, Energy, and Public Utilities, *Chair*  
Agriculture  
Appropriations  
Appropriations Subcommittee on Health  
and Human Services  
Health Policy  
Transportation

**JOINT COMMITTEES:**

Joint Administrative Procedures Committee  
Joint Legislative Budget Commission

**SENATOR DENISE GRIMSLEY**

*Deputy Majority Leader*  
21st District

October 1, 2015

The Honorable Jeff Brandes, Chair  
Senate Committee on Transportation  
Room 401 Knott Building  
404 S. Monroe Street  
Tallahassee, Florida 32399-1100

Dear Mr. Chairman,

I respectfully request permission to be excused from our committee meeting on Thursday, October 8, 2015. I have a previous commitment in my district to attend.

Sincerely,

A handwritten signature in cursive script that reads "Denise Grimsley".

Denise Grimsley  
Senator, District 21

cc: Kurt Elchin, Staff Director

DG/mm

**REPLY TO:**

- 205 South Commerce Avenue, Suite A, Sebring, Florida 33870 (863) 386-6016
- 212 East Stuart Avenue, Lake Wales, Florida 33853 (863) 679-4847
- 306 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5021

Senate's Website: [www.flsenate.gov](http://www.flsenate.gov)

**ANDY GARDINER**  
President of the Senate

**GARRETT RICHTER**  
President Pro Tempore

# CourtSmart Tag Report

Room: LL 37  
Caption: Senate Transpotation

Case No.:  
Judge:

Type:

Started: 10/8/2015 8:59:50 AM

Ends: 10/8/2015 9:46:43 AM

Length: 00:46:54

8:59:50 AM Meeting called to order by Chair Brandes  
8:59:53 AM Roll call by Administrative Assistant, Marilyn Hudson  
9:00:31 AM Quorum present  
9:00:36 AM Senator Grimsley and Evers excused announced by Chair Brandes  
9:01:10 AM Introduction of Byron Brown, Chief Legislative Analyst  
9:01:48 AM Presentation by Byron Brown, OPPAGA  
9:02:57 AM Chair Brandes introduces Senator Hudson  
9:03:26 AM SB 158 introduced by Senator Hudson  
9:03:54 AM Comments from Chair Brandes  
9:04:04 AM Questions from Senator Braynon  
9:04:18 AM Response from Senator Hudson  
9:04:34 AM Additional question from Senator Braynon  
9:04:47 AM Response from Senator Hudson  
9:04:58 AM Question from Senator Thompson  
9:05:08 AM Response from Senator Hudson  
9:05:24 AM Comments from Chair Brandes stating Strike-All amendment is adopted  
9:05:30 AM Closure waived by Senator Hudson  
9:05:46 AM Roll call on SB 158 by Administrative Assistant, Marilyn Hudson  
9:05:58 AM SB 158 reported favorably  
9:06:10 AM Continued presentation by Mr. Bryon Brown of OPPAGA  
9:06:47 AM Question from Chair Brandes  
9:06:58 AM Response from Mr. Brown  
9:07:14 AM Continued presentation from Mr. Brown  
9:14:08 AM Question from Senator Thompson  
9:14:21 AM Response from Mr. Brown  
9:14:38 AM Continued presentation by Mr. Brown  
9:15:51 AM Question from Chair Brandes  
9:15:59 AM Response from Mr. Brown  
9:16:14 AM Continued presentation by Mr. Brown  
9:17:06 AM Question from Chair Brandes  
9:17:17 AM Response from Mr. Brown  
9:19:49 AM Question from Chair Brandes  
9:20:01 AM Response from Mr. Brown  
9:20:53 AM Question from Senator Bullard  
9:21:27 AM Response from Mr. Brown  
9:21:54 AM Follow-up question from Senator Bullard  
9:22:13 AM Response from Mr. Brown  
9:22:28 AM Additional question from Senator Bullard  
9:22:40 AM Response from Mr. Brown  
9:22:55 AM Continued presentation by Mr. Brown  
9:25:11 AM Question from Chair Brandes  
9:25:22 AM Response from Mr. Brown  
9:25:32 AM Presentation continues  
9:26:37 AM Question from Representative Darryl Rouson  
9:26:49 AM Response from Mr. Brown  
9:27:00 AM Thanks to Mr. Brown from Chair Brandes for his presentation  
9:27:21 AM Introduction of Judge Augustus Aikens by Chair Brandes  
9:27:40 AM Presentation by Judge Augustus Aikens, County Court Judge, 2nd Judicial Circuit  
9:29:45 AM Question from Senator Thompson  
9:30:51 AM Response from Judge Augustus Aikens  
9:31:20 AM Question from Senator Thompson  
9:31:28 AM Response from Judge Aikens

**9:31:56 AM** Question from Chair Brandes  
**9:32:03 AM** Response from Judge Aikens  
**9:33:41 AM** Question from Senator  
**9:34:05 AM** Response from Judge Aikens  
**9:36:49 AM** Question from Rep. Rouson regarding Sanction Drivers  
**9:37:18 AM** Response from Judge Aikens  
**9:37:57 AM** Follow-up question from Rep. Rouson  
**9:38:26 AM** Response from Judge Aikens  
**9:38:35 AM** Question from Senator Thompson regarding funding of courts without the fines  
**9:39:14 AM** Response from Judge Aikens  
**9:39:32 AM** Question from Chair Brandes regarding community service  
**9:39:52 AM** Response from Judge Aikens  
**9:41:12 AM** Comments from Chair Brandes regarding thanks to Judge Aikens for presentation  
**9:41:26 AM** Comments from Judge Aikens stating that if members would like to come to the Courts and sit-in, they are welcome  
**9:41:36 AM** Senator Bullard would like to be shown as voting in the affirmative on SB 158  
**9:41:55 AM** Introduction of Maureen Johnson by Jennifer Langston, Highway Safety  
**9:42:38 AM** Presentation by Maureen Johnson, Bureau Chief of Records, DHSMV  
**9:43:06 AM** Question from Chair Brandes  
**9:43:12 AM** Response from Ms. Johnson regarding reinstatement fee and fines  
**9:43:36 AM** Comments/question from Rep. Rouson regarding reinstatement fee  
**9:44:40 AM** Response from Jennifer Langston, Legislative Affairs Director, DHSMV  
**9:45:28 AM** Additional comments from Rep. Rouson  
**9:45:32 AM** Comments from Chair Brandes  
**9:46:10 AM** Senator Thompson moves to rise