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LEGISLATIVE ACTION

Senate

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House

Senator Soto moved the following:

Senate Amendment (with title amendment)

Delete lines 1057 - 1125

and insert:

Section 19. Paragraph (c) of subsection (2) of section 322.08, Florida Statutes, is amended to read:

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

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

(c) Proof of identity satisfactory to the department. Such



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12 proof must include one of the following documents issued to the
13 applicant:

14 1. A driver license record or identification card record
15 from another jurisdiction that required the applicant to submit
16 a document for identification which is substantially similar to
17 a document required under subparagraph 2., subparagraph 3.,
18 subparagraph 4., subparagraph 5., subparagraph 6., subparagraph
19 7., or subparagraph 8.;

20 2. A certified copy of a United States birth certificate;

21 3. A valid, unexpired United States passport;

22 4. A naturalization certificate issued by the United States
23 Department of Homeland Security;

24 5. A valid, unexpired alien registration receipt card
25 (green card);

26 6. A Consular Report of Birth Abroad provided by the United
27 States Department of State;

28 7. An unexpired employment authorization card issued by the
29 United States Department of Homeland Security; or

30 8. Proof of nonimmigrant classification provided by the
31 United States Department of Homeland Security, for an original
32 driver license. In order to prove nonimmigrant classification,
33 an applicant must provide at least one of the following
34 documents. In addition, the department may require applicants to
35 produce United States Department of Homeland Security documents
36 for the sole purpose of establishing the maintenance of, or
37 efforts to maintain, continuous lawful presence:

38 a. A notice of hearing from an immigration court scheduling
39 a hearing on any proceeding.

40 b. A notice from the Board of Immigration Appeals



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41 acknowledging pendency of an appeal.

42 c. A notice of the approval of an application for
43 adjustment of status issued by the United States Bureau of
44 Citizenship and Immigration Services.

45 d. An official documentation confirming the filing of a
46 petition for asylum or refugee status or any other relief issued
47 by the United States Bureau of Citizenship and Immigration
48 Services.

49 e. A notice of action transferring any pending matter from
50 another jurisdiction to this state issued by the United States
51 Bureau of Citizenship and Immigration Services.

52 f. An order of an immigration judge or immigration officer
53 granting relief that authorizes the alien to live and work in
54 the United States, including, but not limited to, asylum.

55 g. Evidence that an application is pending for adjustment
56 of status to that of an alien lawfully admitted for permanent
57 residence in the United States or conditional permanent resident
58 status in the United States, if a visa number is available
59 having a current priority date for processing by the United
60 States Bureau of Citizenship and Immigration Services.

61 h. On or after January 1, 2010, an unexpired foreign
62 passport with an unexpired United States Visa affixed,
63 accompanied by an approved I-94, documenting the most recent
64 admittance into the United States.

65 i. An employment authorization document issued by United
66 States Citizenship and Immigration Services.

67

68 A driver license or temporary permit issued based on documents
69 required in subparagraph 7. or subparagraph 8. is valid for a



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70 period not to exceed the expiration date of the document
71 presented or 1 year.

72 Section 20. Subsection (1) of section 322.12, Florida
73 Statutes, is amended to read:

74 322.12 Examination of applicants.-

75 (1) It is the intent of the Legislature that each ~~every~~
76 applicant for an original driver ~~driver's~~ license in this state
77 be required to pass an examination pursuant to this section.
78 However, the department may waive the knowledge, endorsement,
79 and skills tests for an applicant who is otherwise qualified and
80 who surrenders a valid driver ~~driver's~~ license from another
81 state or a province of Canada, or a valid driver ~~driver's~~
82 license issued by the United States Armed Forces, if the driver
83 applies for a Florida license of an equal or lesser
84 classification. An ~~Any~~ applicant who:

85 (a) ~~Who~~ Fails to pass the initial knowledge test incurs a
86 \$10 fee for each subsequent test. Of the \$10 fee, \$6 shall be
87 retained by the tax collector if the knowledge test is conducted
88 by the tax collector, and the remaining \$4 shall, ~~to~~ be
89 deposited into the Highway Safety Operating Trust Fund. All
90 knowledge test fees incurred by an applicant taking the
91 knowledge test with a third-party provider or administered at a
92 state facility shall be deposited into the Highway Safety
93 Operating Trust Fund. ~~Any applicant~~

94 (b) ~~Who~~ Fails to pass the initial skills test incurs a \$20
95 fee for each subsequent test. Of the \$20 fee, \$15 shall be
96 retained by the tax collector if the skills test is conducted by
97 the tax collector, and the remaining \$5 shall, ~~to~~ be deposited
98 into the Highway Safety Operating Trust Fund. All skills test



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99 fees incurred by an applicant taking the skills test with a
100 third-party provider or administered at a state facility shall
101 be deposited into the Highway Safety Operating Trust Fund. A
102 person who

103 (c) Seeks to retain a hazardous-materials endorsement,
104 pursuant to s. 322.57(1)(d), must pass the hazardous-materials
105 test, upon surrendering his or her commercial driver ~~driver's~~
106 license, if the person has not taken and passed the hazardous-
107 materials test within 2 years before applying for a commercial
108 driver ~~driver's~~ license in this state.

109 Section 21. Subsection (3) of section 322.141, Florida
110 Statutes, is amended to read:

111 322.141 Color or markings of certain licenses or
112 identification cards.—

113 (3) All licenses for the operation of motor vehicles or
114 identification cards originally issued or reissued by the
115 department to persons who are designated as sexual predators
116 under s. 775.21, ~~or~~ subject to registration as sexual offenders
117 under s. 943.0435 or s. 944.607, or who have a similar
118 designation or are subject to a similar registration under the
119 laws of another jurisdiction, shall have on the front of the
120 license or identification card the following:

121 (a) For a person designated as a sexual predator under s.
122 775.21 or who has a similar designation under the laws of
123 another jurisdiction, the marking "SEXUAL PREDATOR." ~~"775.21,~~
124 ~~F.S."~~

125 (b) For a person subject to registration as a sexual
126 offender under s. 943.0435 or s. 944.607 or subject to a similar
127 registration under the laws of another jurisdiction, the marking



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128 "943.0435, F.S."

129 Section 22. Subsection (1) of section 322.15, Florida
130 Statutes, is amended to read:

131 322.15 License to be carried and exhibited on demand;
132 fingerprint to be imprinted upon a citation.-

133 (1) Every licensee shall have his or her driver ~~driver's~~
134 license, which must be fully legible with no portion of such
135 license faded, altered, mutilated, or defaced, in his or her
136 immediate possession at all times when operating a motor vehicle
137 and shall display the same upon the demand of a law enforcement
138 officer or an authorized representative of the department. A
139 licensee may display digital proof of driver license as provided
140 in s. 322.032 in lieu of a physical driver license.

141 Section 23. For the purpose of incorporating the amendment
142 made by this act to section 322.08, Florida Statutes, in
143 references thereto, subsection (3) of section 322.17, Florida
144 Statutes, is reenacted to read:

145 322.17 Replacement licenses and permits.-

146 (3) Notwithstanding any other provisions of this chapter,
147 if a licensee establishes his or her identity for a driver's
148 license using an identification document authorized under s.
149 322.08(2)(c)7. or 8., the licensee may not obtain a duplicate or
150 replacement instruction permit or driver's license except in
151 person and upon submission of an identification document
152 authorized under s. 322.08(2)(c)7. or 8.

153 Section 24. For the purpose of incorporating the amendment
154 made by this act to section 322.08, Florida Statutes, in
155 references thereto, paragraph (d) of subsection (2) and
156 paragraph (c) of subsection (4) of section 322.18, Florida



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157 Statutes, are reenacted to read:

158 322.18 Original applications, licenses, and renewals;
159 expiration of licenses; delinquent licenses.—

160 (2) Each applicant who is entitled to the issuance of a
161 driver license, as provided in this section, shall be issued a
162 driver license, as follows:

163 (d) Notwithstanding any other provision of this chapter, if
164 an applicant establishes his or her identity for a driver
165 license using a document authorized in s. 322.08(2)(c)7. or 8.,
166 the driver license shall expire 1 year after the date of
167 issuance or upon the expiration date cited on the United States
168 Department of Homeland Security documents, whichever date first
169 occurs.

170 (4)

171 (c) Notwithstanding any other provision of this chapter, if
172 a licensee establishes his or her identity for a driver license
173 using an identification document authorized under s.

174 322.08(2)(c)7. or 8., the licensee may not renew the driver
175 license except in person and upon submission of an
176 identification document authorized under s. 322.08(2)(c)7. or 8.
177 A driver license renewed under this paragraph expires 1 year
178 after the date of issuance or upon the expiration date cited on
179 the United States Department of Homeland Security documents,
180 whichever date first occurs.

181 Section 25. For the purpose of incorporating the amendment
182 made by this act to section 322.08, Florida Statutes, in
183 references thereto, subsection (4) of section 322.19, Florida
184 Statutes, is reenacted to read:

185 322.19 Change of address or name.—



186 (4) Notwithstanding any other provision of this chapter, if
187 a licensee established his or her identity for a driver's
188 license using an identification document authorized under s.
189 322.08(2)(c)7. or 8., the licensee may not change his or her
190 name or address except in person and upon submission of an
191 identification document authorized under s. 322.08(2)(c)7. or 8.

192
193 ===== T I T L E A M E N D M E N T =====

194 And the title is amended as follows:

195 Delete lines 103 - 114

196 and insert:

197 suspended; amending s. 322.08, F.S.; including an
198 employment authorization document issued by United
199 States Citizenship and Immigration Services as valid
200 proof of identity for purposes of applying for a
201 driver license; amending s. 322.12, F.S.; requiring
202 that certain test fees incurred by certain applicants
203 for a driver license be retained by the tax collector;
204 amending s. 322.141, F.S.; revising requirements for
205 special markings on driver licenses and state
206 identification cards for persons designated as sexual
207 predators or subject to registration as sexual
208 offenders to include persons so designated or subject
209 to registration under the laws of another
210 jurisdiction; amending s. 322.15, F.S.; authorizing a
211 digital proof of driver license to be accepted in lieu
212 of a physical driver license; reenacting ss.
213 322.17(3), 322.18(2)(d) and (4)(c), and 322.19(4),
214 F.S., relating to conditions and limitations with



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215 respect to obtaining a duplicate or replacement
216 instruction permit or driver license, expiration of
217 and renewal of a driver license, and change of name or
218 address on a driver license for licensees who
219 establish their identity in a specified manner, to
220 incorporate the amendment made by the act to s.
221 322.08, F.S., in references thereto; amending s.
222 322.21,