

**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: SB 256

INTRODUCER: Senator Sobel

SUBJECT: Identification Cards

DATE: March 17, 2015

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

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	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Jones	Eichin	TR	<b>Pre-meeting</b>
2.	_____	_____	ATD	_____
3.	_____	_____	AP	_____

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**I. Summary:**

SB 256 allows a person with a developmental disability, or a parent or guardian of a child or ward with a developmental disability to voluntarily request to be issued an identification card with a “D” designation for the person diagnosed with a developmental disability.

The Department of Highway Safety and Motor Vehicles (DHSMV) will issue the identification card upon proof of diagnosis of a developmental disability by a licensed physician and payment of a fee. A replacement identification card that includes the designation may be issued without payment of a fee.

**II. Present Situation:**

**Developmental Disabilities in Florida**

Section 393.063(9), F.S., defines developmental disabilities to mean “a disorder or syndrome that is attributable to intellectual disability, cerebral palsy, autism, spina bifida, or Prader-Willi syndrome; that manifests before the age of 18; and that constitutes a substantial handicap that can reasonably be expected to continue indefinitely.”

The Florida Developmental Disabilities Council estimates there are approximately 100,000 individuals living in the state who meet the developmental disability criteria.

**Identification Cards in Florida**

Any person who is five years of age or older, or any person who has a disability, regardless of age, who applies for a disabled parking permit, may be issued an identification card by the DHSMV upon completion of an application and payment of a \$25 fee.<sup>1</sup>

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<sup>1</sup> Section 322.051, F.S.

An identification card issued to a person 5 to 14 years of age expires, unless canceled earlier, on the fourth birthday of the applicant following the date of original issue. An identification card issued to a person 15 years of age or older expires, unless canceled earlier, on the eight birthday of the applicant following the date of original issue.<sup>2</sup>

In fiscal year 2013-2014, there were 517,874 identification cards issued statewide.<sup>3</sup>

### **Identification Cards for Persons with Developmental Disabilities**

Other states have implemented Disability Identification Cards for individuals with developmental disabilities. These identification cards serve as an indicator for police and others that an individual has a developmental disability.

For example, in Illinois, the Disabled Person Identification Card is used to signify an individual has a physical, developmental, visual, hearing, or mental disability, and classifies each disability.<sup>4</sup> The card is able to be used as proof of a disability as well as proof of identification for the individual. In Georgia, disability symbols can be placed on a license, permit, or identification card issued by the Georgia Department of Driver Services.<sup>5</sup> Conditions such as PTSD, Dementia, Autism, and developmental disabilities, confirmed by a medical doctor, can be indicated on the back of an individual's license, permit, or identification card.<sup>6</sup>

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

The bill allows a person with a developmental disability<sup>7</sup>, or the parent or guardian of a child or ward with a developmental disability, to voluntarily request to be issued an identification card exhibiting a "D" designation for the person who has been diagnosed by a licensed physician as having a developmental disability.

The DHSMV will issue the identification card upon proof of diagnosis of a developmental disability, acceptable to the department, and an additional fee of \$10. A replacement identification card may be issued without payment of the required fee.

The designated identification card could help law enforcement and other officials identify if they are dealing with a developmentally disabled individual. However, it is unknown how many individuals may apply for this designated identification card.

This bill takes effect July 1, 2015.

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<sup>2</sup> Section 322.051(2)(a), F.S.

<sup>3</sup> Department of Highway Safety and Motor Vehicles, *SB 256 Agency Legislative Bill Analysis* (Mar. 13, 2015) (on file with the Senate Committee on Transportation).

<sup>4</sup> See 15 ILCS 335/4a

<sup>5</sup> O.C.G.A. s. 40-5-171 (2010).

<sup>6</sup> Georgia Department of Driver Services, *DDs-29 Revised (3/23/2011) Form*, <http://www.dds.ga.gov/docs/forms/DDS-29-12610.pdf> (last visited Mar. 16, 2015).

<sup>7</sup> As defined in s. 393.063, F.S.

**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:

Individuals must pay \$25 for an identification card, plus an additional \$10 fee to receive the designated identification card. However, after receiving an identification card with the “D” designation, a replacement identification card including the designation may be issued without payment of the fee.

## C. Government Sector Impact:

The DHSMV estimates that implementation of the bill will cost \$20,880 in programming hours.<sup>8</sup> The change will also require re-engineering of the driver license issuance functions causing an indeterminate negative fiscal impact to the department and impacting the Motorist Modernization project currently underway.<sup>9</sup>

According to the DHSMV, MorphoTrust<sup>10</sup> estimates the cost to make required changes to the identification cards is \$70,000.<sup>11</sup>

Additionally, the bill will have a minimal negative fiscal impact due to individuals with the “D” designation being able to receive a replacement identification card without payment of the required fee.

**VI. Technical Deficiencies:**

None.

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<sup>8</sup> DHSMV analysis, *supra* note 4.

<sup>9</sup> *Id.*

<sup>10</sup> MorphoTrust is contracted by the DHSMV to provide items such as, but not limited to, card stock, printer ribbons, and laminates for a set price per license/identification card issued.

<sup>11</sup> DHSMV analysis, *supra* note 4.

**VII. Related Issues:**

The DHSMV has indicated it will need rulemaking authority to define all aspects related to the issuance, eligibility, and “Application for Developmental Disability” form.<sup>12</sup>

Also, the bill does not indicate where the additional \$10 fee is to be deposited.

**VIII. Statutes Affected:**

This bill substantially amends section 322.051 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill’s introducer or the Florida Senate.

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<sup>12</sup> DHSMV analysis, *supra* note 4.