

STORAGE NAME: h1121.lgva.doc

DATE: March 22, 2001

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
LOCAL GOVERNMENT & VETERANS AFFAIRS
ANALYSIS**

BILL #: HB 1121

RELATING TO: Drivers' Licenses/County Tax Collectors

SPONSOR(S): Representative Byrd

TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) LOCAL GOVERNMENT & VETERANS AFFAIRS (SGC)
- (2) FISCAL POLICY & RESOURCES (FRC)
- (3) COUNCIL FOR SMARTER GOVERNMENT
- (4)
- (5)

I. SUMMARY:

This bill allows any county tax collector to be an authorized agent of the department and be charged with the local administration and function of enforcing general laws governing drivers licenses. The bill provides for the retention by the county tax collector offices of a portion of the fees collected for licensing services when services are provided by the county tax collector. The bill also modifies who is eligible to receive copies of the Department of Highway Safety and Motor Vehicle's (DHSMV) Medical Advisory Board's recommendations and medical reports submitted by licensed drivers and/or applicants to include a county tax collector.

The bill's fiscal impact on the state and local government is indeterminate.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|------------------------------|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

The Department of Highway Safety and Motor Vehicles (DHSMV)'s mission is to make highways safe through service, education and enforcement. To accomplish this mission, DHSMV has a budget of \$340 million and almost 5,000 positions. Each year DHSMV collects more than \$1.2 billion in revenue through its licensing and regulatory responsibilities. The Department is organized into five major units: the Florida Highway Patrol, the Division of Driver Licenses, the Division of Motor Vehicles, the Division of Administrative Services, and Information Systems Administration.

This Division of Driver Licenses (Division) promotes safety on the highways by licensing qualified drivers, controlling and improving problem drivers, ensuring drivers are financially responsible for their actions, and maintaining records for driver evaluation. The Division provides services to the driving public through a network of 146 field offices (including selected county tax collector offices) located throughout the state. The Division's nine bureaus are organized into three functional areas: licensing services, educational services, and financial responsibility.

Licensing services are administered by the following seven bureaus: North Field Operations, Central Field Operations, South Field Operations, Customer Service, Records, Driver Improvement, and Administrative Review. Licensing services include the following major activities:

- Issuing driver licenses, including the administration of knowledge (written) and skills (road) tests, and identification cards;
- Administering the Commercial Driver License, Organ Donor, and Motor Voter programs;
- Identifying and controlling problem drivers by revoking, canceling, or suspending driving privileges;
- Assisting customers by resolving questions pertaining to driver licenses, financial responsibility, suspensions and reinstatements; and
- Maintaining driver records and conducting administrative hearings involving hardship license reinstatements, suspension, medical competency, and financial responsibility.

The Bureau of Driver Education and DUI Programs is responsible for educational services which include monitoring driver improvement courses and commercial driving schools, training and licensing instructors, and monitoring motorcycle safety programs and instructors.

The Bureau of Financial Responsibility is responsible for ensuring drivers acquire and maintain adequate motor vehicle insurance and for identifying uninsured motorists.

Tax Collectors

There are approximately 270 tax collector offices and their agents who perform statewide motor vehicle registration and title services as agents of the Department. Since 1996, county tax collectors have been authorized to provide driver license services as agents of DHSMV (s. 322.135, F.S.). Currently, 21 tax collectors are providing driver license services at 29 locations. Services available through the tax collectors include new licenses, renewals, duplicates, learner's permits, and identification cards. In addition, tax collectors are authorized to provide commercial driver license (CDL) services. However, a number of the participating tax collectors have opted not to administer the skills (road) test. A service fee of \$5.25 is charged for driver license services obtained through a tax collector office. One dollar of this service fee is deposited into the Highway Safety Operating Trust Fund and the remaining \$4.25 is retained by the tax collector.

An OPPAGA survey of tax collectors revealed a number of reasons why many tax collectors have elected not to offer driver license services. Insufficient office space and staff were the most frequently cited reasons. A number of tax collectors reported that an existing state driver license office is too close to the tax collector's office to provide a substantial increase in customer service. Some respondents said the \$4.25 fee retained by tax collectors is insufficient given the work required, and several stated this additional service fee is unfair to citizens.

Currently, all driver license fees are deposited into the General Revenue Fund. Allowing the tax collectors to keep a portion of these fees would entice additional tax collectors to provide driver license services. During fiscal year 1999-2000, driver license fees generated \$87 million in revenue.

Additional Outsourcing Activities

DHSMV has several initiatives underway to outsource specific components of driver license testing. For example, there are currently 456 third-party testers conducting the CDL skills test. These third-party testers account for 87 percent of the CDL skills tests administered. There are presently 13 third-party testers performing the motorcycle skills and knowledge tests. The Department also has agreements with 54 school districts to conduct testing through their school-based driver education programs.

The Department is currently monitoring a pilot project in which seven vendors are providing skills testing for non-CDL operator licenses. Participants in this pilot project include commercial driving schools, a non-profit safety council, and an adult education center. The vendor contract does not specify a fee structure. In fact, several vendors have advised DHSMV that they do not intend to charge a fee but will offer the skills test as part of their driving instruction curriculum. Effective January 1, 2001, these vendors are also authorized to conduct knowledge testing.

The Department has recently expanded the role of technology in the delivery of motor vehicle and driver services. In most cases, DHSMV has relied on private vendors for the development and operation of these "e-commerce" applications. In addition to enhanced customer convenience, these applications eliminate the manual effort typically required by using automation technology to process each transaction from start to finish with the exception of mailroom processing. Several of these technology-based services are summarized below.

The Department website contains a feature ("Express Lane") allowing Florida motorists to perform driver license renewals and address changes on-line. In order to renew a license using this system an individual must have a Visa or Master Card. In addition to the renewal fee (\$15) or the change of address fee (\$10), a service fee of \$3 is applicable. This service fee is used to offset the credit card service fee and vendor processing.

C. EFFECT OF PROPOSED CHANGES:

This bill allows any county tax collector to be an authorized agent of the department and be charged with the local administration and function of enforcing general laws governing drivers licenses. The bill provides for the retention by the county tax collector offices of a portion of the fees collected for licensing services when services are provided by the county tax collector. The bill also modifies who is eligible to receive copies of Medical Board recommendations and medical reports submitted by licensed drivers and/or applicants to include a county tax collector.

D. SECTION-BY-SECTION ANALYSIS:

Section 1. Section 322.01, F.S., is amended to define "County Tax Collector".

Section 2. Section 322.02, F.S., is amended to provide that the Department shall allow any county tax collector that elects to do so to be a complete and total authorized agent of the Department. Such authorization will be limited to that county only with the tax collector charged with the local administration and function of enforcing Chapter 322, F.S.

Section 3. Section 322.03, F.S., which requires any person who has been convicted of certain alcohol or drug related offenses to present proof of completion or enrollment in a Department approved substance abuse education course prior to a driver license being issued by the Department, is amended to apply this requirement to driver licenses issued by a tax collector. The section also is amended to provide that a county tax collector may not issue a commercial license to a non-Florida resident.

Section 4. Section 322.05, F.S., is amended to prohibit a county tax collector from issuing a license to any person who has not met certain requirements.

Section 5. Section 322.051, F.S., is amended to allow tax collectors, when issuing identification cards to persons who are twelve years of age or older, or anyone who has disability, to retain \$2.50 of the \$3 original or renewal identification card fee as cost reimbursement for services performed.

Section 6. Section 322.059, F.S., is amended to provide for any person to return to either the Department or a county tax collector a suspended driver's license or registration.

Section 7. Section 322.07, F.S., is amended to provide for the issuance of instruction permits and temporary commercial driver licenses by a county tax collector, in addition to the Department.

Section 8. Section 322.08, F.S., is amended to provide that an applicant must provide information proving date of birth that is satisfactory to the county tax collector, and to provide that the county tax collector may not issue a driver's license to certain persons until they have completed the traffic law and substance abuse education course.

Section 9. Section 322.09(3), F.S., which provides that a driver license or learner's driver license may not be issued to any applicant under the age of 18 years who is not in compliance with requirements of s. 322.091, F.S., is amended to reflect the issuance of drivers licenses by county tax collectors.

Section 10. Section 322.091, F.S., which requires that a driver license or learner's driver license may not be issued or retained by a minor who is enrolled in a public school, nonpublic school or home education program unless certain attendance requirements are met, is amended to reflect the issuance of drivers licenses by county tax collectors.

Section 11. Section 322.095, F.S., which requires the Department to approve traffic law and substance abuse education courses and certify instructors, is amended to allow either the Department or county tax collectors to approve traffic law and substance abuse education courses and certify instructors.

Section 12. Section 322.12, F.S., provides for the examination of applicants and establishes fees for the reinstatement of a driver license that is revoked, suspended or disqualified excluding those licenses suspended per ss. 318.15 or 322.245, F.S. Annual revenues collected for reinstatement of revoked or suspended licenses are approximately \$4.8 million. Of this amount, \$3.1 million is deposited into the General Revenue Fund and \$1.7 million is deposited into the Highway Safety Operating Trust Fund. The section is amended to allow either the Department or a county tax collector to administer the written and skills tests for driver licenses, including commercial driver licenses. This section also is amended to authorize county tax collectors to retain \$15.00 of the \$25.00 reinstatement fee with the remaining \$10.00 being distributed to the General Revenue Fund. This section is further amended to authorize county tax collectors to retain \$15.00 of the \$50.00 revocation or disqualification fee with the remaining \$35.00 being distributed to the General Revenue fund.

Currently, s. 322.29, F.S., provides for the reinstatement of a license suspended pursuant to ss. 318.15 (failure to comply with civil penalty or to appear) or 322.245, (failure to pay child support) Florida Statutes. The fee to reinstate a suspended license upon compliance with all court-imposed obligations and penalties is \$25. This fee is paid to the Department. In fiscal year 1998-1999, the Department processed approximately 215,000 'D-6' reinstatements of which \$5.4 million was deposited into the General Revenue Fund. This bill does not amend s. 322.29, F.S.

Section 13. Section 322.121, F.S., which allows the Department to mark a license with a safe driver notation if the licensee adheres to specific requirements, is amended to allow a county tax collector to perform this function, as well.

Section 14. Section 322.125, F.S., provides that reports received or made by the Medical Advisory Board or its members for the purpose of assisting the Department in determining whether a person is qualified to be licensed are for the confidential use of the board. The section is amended to allow review of submitted medical reports and Medical Advisory Board recommendations by employees of the tax collector's office.

Section 15. Section 322.13, F.S., which provides for the designation of persons to serve as driver's license examiners by the Department, is amended to allow a county tax collector to designate employees or persons to serve as driver's license examiners, to conduct examinations, perform other assigned duties and make factual reports of findings and recommendations to the tax collector.

Section 16. Section 322.135, F.S., limits driver license services performed by the county tax collectors to issuance of driver licenses and identification cards. The section is amended to provide that driver license service may be limited in some counties. In addition, this section is amended to state that the tax collector providing the service shall receive compensation for each transaction. The \$5.25 fee is to be charged and retained as compensation for those tax collectors performing limited services. County tax collectors providing full driver licensure services as complete county agents for the Department may not charge or collect this fee.

Section 17. Section 322.14(1)(a), F.S., which authorizes the Department to issue driver licenses to applicants who have successfully completed all examination requirements and paid the required fee, is amended to reflect the issuance of drivers licenses by a county tax collector.

Section 18. Section 322.141, F.S., requires the Department to issue licenses with different markings or color for persons under 21 years of age or to persons who are insulin-dependent. The Department determines what proof is appropriate that a person has insulin-dependant diabetes. The section is amended to require either the Department or county tax collector to issue licenses with different markings or color for persons under 21 years of age or to persons who are insulin-dependent.

Section 19. Section 322.142, F.S., requires the Department to issue a color photographic or digital imaged driver's license upon receipt of the required fee from the applicant. The Department is further authorized to enter into contracts for the development and production of photographic or digital imaged ID documents. The section is amended to authorize the county tax collectors to perform this function.

Section 20. Section 322.16, F.S., which allows the Department to impose restrictions on a driver's license whenever good cause appears, is amended to allow either the Department or a county tax collector to impose such restrictions.

Section 21. Section 322.161, F.S., requires certain high-risk licensees to appear before the Department within 10 days after being notified and issued a restricted license for business purposes only. The section is amended to require such licensees to appear before the Department or a county tax collector within 10 days after being notified and issued a restricted license for business purposes only.

Section 22. Section 322.1615, F.S., which authorizes the Department to issue a learner's driver license to a person who is at least 15 years of age and who has met other certain requirements, is amended to authorize the county tax collector to also issue such licenses.

Section 23. Section 322.17, F.S., provides for the issuance of duplicate and replacement licenses and establishes fees. The section is amended to authorize county tax collectors, upon issuance of a duplicate or replacement license, to retain \$5.00 of the duplicate or replacement license fee and to distribute the remaining \$5.00 to the Highway Safety Operating Trust Fund. If the Department issues a replacement license, then the Department is authorized to retain the entire \$10 fee for deposit into the Highway Safety Operating Trust Fund. This section also authorizes the tax collector to retain \$2 of the \$10 replacement license fee upon issuance of an address sticker for those replacement transactions involving a licensee address change. If the Department issues the replacement license and address sticker then the entire \$10 fee is retained by the Department in the Highway Safety Operating Trust Fund. The section allows either the Department or a county tax collector to determine what proof of identity, when a license has been lost or destroyed, is sufficient before issuing the duplicate license.

Section 24. Section 322.18, F.S., which authorizes the Department to issue original and renewal driver's licenses, is amended to authorize the county tax collector to issue original or renewal driver's licenses. This section also provides for either the Department or the county tax collector to issue four and six year license extensions by mail, and authorizes the mailing of renewal notices.

Section 25. Section 322.20, F.S., provides for the maintenance of driver history records and authorizes the Department to charge fees for certain services and documents for deposit into the Highway Safety Operating Trust Fund. Approximately \$23.8 million is collected annually and deposited into the Highway Safety Operating Trust Fund for the sale of driving records and driver

lists. This section is amended to authorize the county tax collector to charge fees for certain services and documents and to retain such fees as a cost reimbursement.

Section 26. Section 322.21, Florida Statutes, requires the Department to mail renewal notices within 30 days prior to the licensee's birthday that is determined from the central repository of images and centralized database maintained by the Department. This section also establishes license fees which include \$50.00 for a commercial driver license, \$20.00 for an original Class D & E license, \$15.00 for a renewed Class D & E license, \$5.00 for an endorsement and \$1.00 delinquent fee. All fees are deposited into the General Revenue Fund. This section is amended to authorize county tax collectors when issuing original or renewal commercial driver licenses, to retain \$30 of the \$50 fee plus the \$1 delinquent fee, if applicable. The remaining \$20 fee must be deposited into the General Revenue Fund. In addition, tax collectors issuing Class D or Class E driver licenses will retain \$18 of the \$20 fee. The tax collectors, when issuing Class D or Class E renewal driver licenses, will also retain \$10.00 of the \$15.00 fee plus the \$1 delinquent fee, when applicable. The balance of fees collected pursuant to Class D and E license transactions must be deposited into the General Revenue Fund. In addition, the tax collector will retain the \$5.00 fee for each endorsement required by s. 322.57, F.S.

Section 27. Section 322.212, F.S., which prohibits any employee of the Department from allowing the issuance of a driver's license or ID card when the applicant has not lawfully fulfilled the requirements for the issuance of a license or ID card, is amended to apply this prohibition to any employee of a county tax collector.

Section 28. Section 322.22, F.S., which authorizes the Department to cancel any driver's license that should never have been issued, is amended to authorize the Department or county tax collector to cancel any driver's license that should never have been issued.

Section 29. Section 322.221, F.S., which authorizes the Department to require a licensed driver to submit to an examination or reexamination if it has good cause to believe the driver to be incompetent or not qualified to be licensed, is amended to grant this power to a county tax collector.

Section 30. Section 322.251, F.S., which requires any licensee whose driving privilege is suspended, revoked or disqualified to surrender all licenses to the Department, is amended to apply this provision to a county tax collector. The bill does not fully amend s. 322.251(6), F.S., such that the requirement that the suspension, revocation or disqualification be entered on the driver record would remain solely with the Department.

Section 31. Section 322.26, F.S., which requires the Department to revoke the license or driving privilege of any person who commits perjury or the making of a false affidavit or statement under oath to the Department, is amended to add any person who commits perjury or the making of a false affidavit or statement under oath to a county tax collector. The revocation requirement would remain solely on the Department.

Section 32. Section 322.28, Florida Statutes, provides that the Department shall not grant a new driver license to a person who has been suspended for DUI except upon re-examination and authorizes the court to issue a reinstatement order on a form furnished by the Department which the person may take to any driver license examining office for reinstatement. The section is amended to the person to take the form to any authorized Florida driver's license examining office for reinstatement. However, the bill does not place the same restrictions on the issuance of a new license after a DUI suspension as exist for the Department pursuant to s. 322.28(2)(d), F.S.

Section 33. Section 322.282, F.S., authorizes the Department to issue a temporary driver permit with restrictions as determined by the Department to a licensee who presents a court order of reinstatement, proof of completion of department-approved driver training or substance abuse

education, and a written request for a hearing. This section is amended to provide this power to a county tax collector.

Section 34. Section 322.32, F.S., establishes that it is a second degree misdemeanor for failure or refusal to surrender to the Department or to any law enforcement officer upon demand, any driver's license in his or her possession that has been suspended, revoked, disqualified, or cancelled. This section is amended to apply this provision to the refusal to surrender such licenses to a county tax collector.

Section 35. An effective date of July 1, 2001, is provided.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues

Indeterminate. (See "Fiscal Comments" section.)

2. Expenditures:

Indeterminate. (See "Fiscal Comments" section.)

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

Indeterminate. (See "Fiscal Comments" section.)

2. Expenditures:

Indeterminate. (See "Fiscal Comments" section.)

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

N/A

D. FISCAL COMMENTS:

The Impact Conference has not yet addressed this bill. The Department of Highway and Motor Vehicles (DHSMV) submitted the following comments regarding the bill's fiscal impact.

"Fiscal year 1998-1999 total revenues for driver license service activities excluding record sales and service fees totaled \$73.8 million. Of this amount, \$62.8 million was deposited into the General Revenue Fund and \$11 million was deposited into the Highway Operating Trust Fund. If all driver licensing transactions were processed by the tax collectors, then \$51.8 in state revenues would be redirected to the local governments. General Revenue Fund receipts would decrease from \$62.8 million to \$15.1 million for a net decrease of \$47.7 million. Highway Safety Trust Fund receipts would decrease from \$11 million to \$6.9 million for a net decrease of \$4.1 million.

In addition, the Department receives approximately \$23.8 million annually for deposit into the Highway Safety Operating Trust Fund for the sale of driving records and lists. This revenue is used to support all programs within the Department. Assuming that the tax collectors process

bulk records sales, then this revenue would be redirected to the tax collectors which would severely impact the Department's major operating fund and limit the Department's ability to provide other services.

This bill will also require \$148,500 of contracted programming modifications to the Driver License software systems to implement."

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill will not reduce the authority of counties and municipalities to raise total aggregate revenues.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the total aggregate percent of state tax shared with counties or municipalities.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

Senate Transportation Interim Project Report 2001-026

During the 2001 Legislative Interim, the Senate Transportation Committee conducted an interim project and produced a report entitled "Privatization or Transfer of Functions of the Department of Highway Safety and Motor Vehicles." Substantial portions of the "Present Situation" section of the analysis were taken from this report. The report examines current and potential privatization or outsourcing initiatives within the Department of Highway Safety and Motor Vehicles (DHSMV). While the report includes an overview of the entire agency, the focus of the report is on motor vehicle and driver licensing functions. The report found that there are a number of additional outsourcing options relating to the delivery of motor vehicle and driver license services which the Legislature may wish to consider. For example, one option is to authorize DHSMV to contract with private agents to issue driver licenses and motor vehicle titles and registrations. The report also notes that in addition to outsourcing options, there are several related policy considerations which the Legislature may wish to address. For example, recent changes in the delivery of motor vehicle and driver services have altered the long established roles of DHSMV and its agents and generated uncertainty surrounding future service delivery responsibilities. The report suggested the Legislature may wish to provide additional guidance regarding the future responsibilities of DHSMV and its agents.

Specifically regarding the expansion of driver license services in tax collector's offices, the report suggested one option to encourage more tax collectors to provide driver license services would be to revise driver license fees to allow tax collectors to retain more revenue. Currently, all driver license fees are deposited into the General Revenue Fund. Allowing the tax collectors to keep a portion of these fees would entice additional tax collectors to provide driver license services. Depending on the amount of the fee retained, there would be a corresponding fiscal impact on the General Revenue Fund. During fiscal year 1999-2000, driver license fees generated \$87 million in revenue.

Department of Highway Safety and Motor Vehicles

DHSMV provided the following comments regarding HB 1121:

"There are numerous sections in this bill that would allow 67 different tax collectors authority to administer the licensing statutes within their own county and would essentially be equal to the department's authority, meaning little or no ability for the Department to exercise quality control, enforce compliance with procedures, etc. The very large part of the licensing process not explicitly set out in the statutes themselves would be open to local preferred practice. The licensing program could then devolve into as many as 67 substantially different programs with their own policy and procedures. Uniform practices would be impossible to maintain. Problem drivers could be moving between counties to take advantage of this situation the way they now do between states.

Federal highway funds are in jeopardy if Commercial Driver Licensing program compliance can't be maintained due to local variation in related policy and procedures. The federal government's regulatory position on this is that the State as a whole is responsible for compliance. If, for example, a tax collector decides to interpret the residency requirement a little differently or "streamline" the testing process, the State is liable for the consequences.

Additionally, there would be a huge diversion of funds from General Revenue and statewide trust funds. These lost revenues may not be fully offset by corresponding reductions in State costs to operate driver licensing."

In addition, DHSMV provided the following comments regarding specific provisions of HB 1121:

Section 8: This bill would allow individual tax collectors to define what form of proof of birth date is "satisfactory", thus allowing the requirements for licensure to potentially vary dramatically from county to county. This could significantly increase the chance of fraud in the driver-licensing program in this state.

Section 11: This change creates the possibility of having 67 different entities regulating courses and certifying instructors in addition to the Department's regulatory responsibilities. Regulation of these courses should be uniform and is best achieved by a centralized program like that at the Department.

Section 12: This section amends s. 322.12, F. S., to allow either the Department or a county tax collector to administer the written and skills tests for driver licenses, including commercial driver licenses. This would allow for the development of different tests in different counties reducing the effectiveness of the state's ability to keep the highways safe through driver testing and licensing.

Section 14. It is questionable whether this proposed change is necessary. Medical personnel should interpret medical reports and every assurance made to keep the reports confidential. Since there are no medical personnel present in tax collector's offices to interpret the data, it is

not evident where this additional release of information is necessary. There is concern that the more individuals that have to be included in the review, the more potential for violation of confidentiality.

Section 16. The section provides that driver license service may be limited in some counties. In addition, this section is amended to state that the tax collector providing the service shall receive compensation for each transaction. The \$5.25 fee is to be charged and retained as compensation for those tax collectors performing limited services. County tax collectors providing full driver licensure services as complete county agents for the Department may not charge or collect this fee. It is not clear what the actual difference between "limited" and "full" services is and thus why some county tax collectors would be authorized to charge an additional \$5.25 fee and some would not.

Section 18. This section would potentially allow the different county tax collectors to develop different forms of proof that a person has insulin-dependant diabetes.

Section 19. This section could result in up to 67 additional different contracts and imaging processes. The manufacture and maintenance of these images present significant privacy concerns for the state's citizens. This process should be uniformly and centrally monitored.

Section 20. Section 322.16, F.S., which allows the Department to impose restrictions to the use a driver's license whenever good cause appears, is amended to allow either the Department or a county tax collector to impose restrictions to the use of a driver license whenever good cause appears. This would allow the individual tax collectors to establish different standards for determining the appropriateness of restriction.

Section 21. This section does not fully amend s. 322.161(1)(c), F.S., and leaves the requirement to withdraw the suspension after one year solely with the Department. Further, the bill provides that a suspended driver must appear before either the Department or a county tax collector for the application of the restriction, thus potentially allowing each county to develop different standards for the business purposes only restriction.

Section 23. This section allows either the Department or a county tax collector to determine what proof of identity or that a license has been lost or destroyed is sufficient before issuing the duplicate license, potentially allowing the uniformity of this standard to be lost.

Section 24. This section does not clarify whether the Department or the county tax collectors have the responsibility for renewing driver licenses.

Section 25. This section does not amend the statute to include county tax collectors in the responsibility for maintenance of the driver history record. Further, the statute limits the Department's release of crash information and the amendment does not add that restriction to county tax collectors.

Section 26. This section does not clarify whether the Department or the county tax collectors have the duty to mail renewal notices and thus creates the potential for either duplicate mailings or none at all to a licensee.

Section 29. Section 322.221, F.S., which authorizes the Department to require a licensed driver to submit to an examination or reexamination if it has good cause to believe the driver to be incompetent or not qualified to be licensed, is amended to grant this power to a county tax collector. This section potentially allows individual counties to establish criteria under which a re-examination would be required removing the uniformity from the existing program.

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Section 33. Section 322.282, F.S., authorizes the Department to issue a temporary driver permit with restrictions as determined by the Department to a licensee who presents a court order of reinstatement, proof of completion of department-approved driver training or substance abuse education, and a written request for a hearing. This section is amended to provide this power to a county tax collector. The section allows either the Department or a county tax collector to determine the restrictions, thus potentially removing the uniformity of the present system.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

None.

VII. SIGNATURES:

COMMITTEE ON LOCAL GOVERNMENT & VETERANS AFFAIRS:

Prepared by:

Staff Director:

Thomas L. Hamby, Jr.

Joan Highsmith-Smith