Florida Senate - 2002

CS for SB 2224

By the Committee on Transportation; and Senator Sebesta

306-2244-02 A bill to be entitled 1 2 An act relating to the issuance of drivers' 3 licenses; amending s. 322.01, F.S.; defining the term "county tax collector" to mean an 4 5 authorized agent of the Department of Highway б Safety and Motor Vehicles; amending ss. 322.03, 7 322.05, F.S., relating to the issuance of 8 drivers' licenses; authorizing the county tax collector to issue drivers' licenses; 9 prohibiting the county tax collector from 10 11 issuing licenses to certain persons; amending s. 322.051, F.S.; authorizing the county tax 12 collector to issue identification cards; 13 providing for the tax collector to retain the 14 15 fee; amending s. 322.059, F.S.; providing for a 16 driver's license to be surrendered to the county tax collector; amending ss. 322.07, 17 18 322.09, F.S.; authorizing the county tax 19 collector to issue instruction permits and 20 temporary licenses; amending s. 322.091, F.S., relating to requirements for school attendance; 21 22 conforming provisions to changes made by the 23 act; amending s. 322.12, F.S.; authorizing the county tax collector to perform driver's 24 25 license examinations; providing for the tax 26 collector to retain a portion of the fee; 27 amending ss. 322.121, 322.13, 322.14, F.S., 28 relating to reexaminations and examiners; 29 conforming provisions to changes made by the act; amending ss. 322.141, 322.142, 322.161, 30 31 322.1615, F.S., relating to the color and types

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1	of licenses; conforming provisions to changes
2	made by the act; amending s. 322.17, F.S.;
3	authorizing the county tax collector to issue
4	duplicate and replacement licenses and
5	change-of-address stickers; providing for the
6	tax collector to retain a portion of the fee;
7	amending s. 322.18, F.S., relating to license
8	applications and expiration of licenses;
9	conforming provisions to changes made by the
10	act; amending s. 322.20, F.S.; requiring the
11	county tax collector to maintain certain
12	records; amending s. 322.21, F.S.; requiring
13	that the county tax collector provide personnel
14	to perform the duties specified under the act;
15	providing for the county tax collector to
16	retain a portion of certain fees; amending s.
17	322.221, F.S.; authorizing the county tax
18	collector to require reexamination of a
19	licensed driver; amending s. 322.251, F.S.;
20	providing for a cancelled, suspended, or
21	revoked driver's license to be surrendered to
22	the county tax collector; amending s. 322.282,
23	F.S.; providing for the county tax collector to
24	issue a temporary driver's permit under certain
25	circumstances; amending s. 322.32, F.S.,
26	relating to penalties imposed for failure to
27	surrender a driver's license; conforming
28	provisions to changes made by the act;
29	providing for an effective date.
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31	Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Present subsections (11) through (42) of 2 section 322.01, Florida Statutes, are redesignated as 3 subsections (12) through (43), respectively, and a new subsection (11) is added to that section, to read: 4 5 322.01 Definitions.--As used in this chapter: б (11) "County tax collector" means the county tax 7 collectors of this state performing as authorized agents of 8 the department. 9 Section 2. Subsection (2) and paragraph (a) of 10 subsection (3) of section 322.03, Florida Statutes, are 11 amended to read: 322.03 Drivers must be licensed; penalties .--12 (2) Prior to issuing a driver's license, the 13 14 department or county tax collector shall require any person who has been convicted two or more times of a violation of s. 15 316.193 or of a substantially similar alcohol-related or 16 17 drug-related offense outside this state within the preceding 5 years, or who has been convicted of three or more such 18 19 offenses within the preceding 10 years, to present proof of 20 successful completion of or enrollment in a department-approved substance abuse education course. If the 21 person fails to complete such education course within 90 days 22 after issuance, the department shall cancel the license. 23 24 Further, prior to issuing the driver's license the department 25 or county tax collector shall require such person to present proof of financial responsibility as provided in s. 324.031. 26 For the purposes of this paragraph, a previous conviction for 27 violation of former s. 316.028, former s. 316.1931, or former 28 29 s. 860.01 shall be considered a previous conviction for violation of s. 316.193. 30 31

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1 (3)(a) The department or county tax collector may not 2 issue a commercial driver's license to any person who is not a 3 resident of this state. Section 3. Section 322.05, Florida Statutes, is 4 5 amended to read: б 322.05 Persons not to be licensed.--The department or 7 county tax collector may not issue a license: 8 To a person who is under the age of 16 years, (1)9 except that the department or county tax collector may issue a 10 learner's driver's license to a person who is at least 15 11 years of age and who meets the requirements of ss. 322.091 and 322.1615 and of any other applicable law or rule. 12 13 (2) To a person who is at least 16 years of age but is 14 under 18 years of age unless the person meets the requirements of s. 322.091 and holds a valid: 15 (a) Learner's driver's license for at least 12 months, 16 17 with no traffic convictions, before applying for a license; (b) Learner's driver's license for at least 12 months 18 19 and who has a traffic conviction but elects to attend a 20 traffic driving school for which adjudication must be withheld 21 pursuant to s. 318.14; or (c) License that was issued in another state or in a 22 foreign jurisdiction and that would not be subject to 23 24 suspension or revocation under the laws of this state. (3) To a person who is at least 16 years of age but 25 who is under 18 years of age, unless the parent, guardian, or 26 other responsible adult meeting the requirements of s. 322.09 27 28 certifies that he or she, or another licensed driver 21 years 29 of age or older, has accompanied the applicant for a total of not less than 50 hours' behind-the-wheel experience, of which 30 31 not less than 10 hours must be at night. This subsection is

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not intended to create a private cause of action as a result
 of the certification. The certification is inadmissible for
 any purpose in any civil proceeding.

(4) Except as provided by this subsection, to any 4 5 person, as a Class A licensee, Class B licensee, Class C б licensee, or Class D licensee, who is under the age of 18 years. A person age 16 or 17 years who applies for a Class D 7 8 driver's license is subject to all the requirements and 9 provisions of paragraphs (2)(a) and (b) and ss. 322.09 and 10 322.16(2) and (3). The department may require of any such 11 applicant for a Class D driver's license such examination of the qualifications of the applicant as the department 12 13 considers proper, and the department may limit the use of any 14 license granted as it considers proper.

(5) To any person whose license has been suspended,
during such suspension, nor to any person whose license has
been revoked, until the expiration of the period of revocation
imposed under the provisions of this chapter.

19 (6) To any person, as a commercial motor vehicle 20 operator, whose privilege to operate a commercial motor 21 vehicle has been disqualified, until the expiration of the 22 period of disqualification.

23 (7) To any person who is an habitual drunkard, or is 24 an habitual user of narcotic drugs, or is an habitual user of 25 any other drug to a degree which renders him or her incapable 26 of safely driving a motor vehicle.

(8) To any person who has been adjudged to be afflicted with or suffering from any mental disability or disease and who has not at the time of application been restored to competency by the methods provided by law.

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1 (9) To any person who is required by this chapter to take an examination, unless such person shall have 2 3 successfully passed such examination. 4 (10) To any person, when the department has good cause 5 to believe that the operation of a motor vehicle on the б highways by such person would be detrimental to public safety 7 or welfare. Deafness alone shall not prevent the person 8 afflicted from being issued a Class D or Class E driver's 9 license. 10 (11)To any person who is ineligible under s. 322.056. 11 Section 4. Subsections (1), (2), (3), and (4) of section 322.051, Florida Statutes, are amended to read: 12 322.051 Identification cards.--13 (1) Any person who is 12 years of age or older, or any 14 15 person who has a disability, regardless of age, who applies for a disabled parking permit under s. 320.0848, may be issued 16 17 an identification card by the department or county tax 18 collector upon completion of an application and payment of an 19 application fee. 20 (a) Each such application shall include the following 21 information regarding the applicant: 1. Full name (first, middle or maiden, and last), 22 gender, social security card number, residence and mailing 23 24 address, and a brief description. 2. Proof of birth date satisfactory to the department. 25 Proof of identity satisfactory to the department. 26 3. 27 Such proof must include one of the following unless a driver's 28 license record or identification card record has already been established: a certified copy of a United States birth 29 certificate, a valid United States passport, an alien 30 31 registration receipt card (green card), an employment 6

authorization card issued by the United States Department of 1 2 Justice, or proof of nonimmigrant classification provided by 3 the United States Department of Justice, for an original identification card. 4 5 (b) An application for an identification card must be б signed and verified by the applicant in a format designated by 7 the department before a person authorized to administer oaths. The fee for an identification card is \$3, including payment 8 9 for the color photograph or digital image of the applicant. 10 The county tax collector shall retain the \$3 as reimbursement 11 for the cost of providing the identification card. (2) Every identification card shall expire, unless 12 13 canceled earlier, on the fourth birthday of the applicant following the date of original issue. However, if an 14 individual is 60 years of age or older, and has an 15 identification card issued under this section, the card shall 16 17 not expire unless done so by cancellation by the department or by the death of the cardholder. Renewal of any identification 18 19 card shall be made for a term which shall expire on the fourth birthday of the applicant following expiration of the 20 21 identification card renewed, unless surrendered earlier. Any application for renewal received later than 90 days after 22 expiration of the identification card shall be considered the 23 24 same as an application for an original identification card. 25 The renewal fee for an identification card shall be \$3. The county tax collector shall retain the \$3 as reimbursement for 26 27 the cost of providing the identification card. The department 28 shall, at the end of 4 years and 6 months after the issuance 29 or renewal of an identification card, destroy any record of the card if it has expired and has not been renewed, unless 30 31 the cardholder is 60 years of age or older.

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1 (3) In the event an identification card issued under this section is lost, destroyed, or mutilated or a new name is 2 3 acquired, the person to whom it was issued may obtain a 4 duplicate upon furnishing satisfactory proof of such fact to the department or county tax collector and upon payment of a 5 б fee of \$2.50 for such duplicate, which shall include payment 7 for the color photograph or digital image of the applicant. 8 The issuing entity shall retain the \$2.50 as reimbursement for 9 the cost of providing the duplicate card. Any person who loses 10 an identification card and who, after obtaining a duplicate, 11 finds the original card shall immediately surrender the original card to the department or county tax collector. The 12 13 same documentary evidence shall be furnished for a duplicate as for an original identification card. 14 (4) When used with reference to identification cards, 15 "cancellation" means that an identification card is terminated 16 17 without prejudice and must be surrendered. Cancellation of the card may be made when a card has been issued through error or 18 19 when voluntarily surrendered to the department or county tax 20 collector. Section 5. Section 322.059, Florida Statutes, is 21 22 amended to read: 322.059 Mandatory surrender of suspended driver's 23 24 license and registration. -- Any person whose driver's license or registration has been suspended as provided in s. 322.058 25 must immediately return his or her driver's license and 26 registration to the Department of Highway Safety and Motor 27 28 Vehicles or county tax collector. If such person fails to 29 return his or her driver's license or registration, any law enforcement agent may seize the license or registration while 30 31 the driver's license or registration is suspended.

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1 Section 6. Section 322.07, Florida Statutes, is 2 amended to read: 3 322.07 Instruction permits and temporary licenses.--4 (1) Any person who is at least 18 years of age and 5 who, except for his or her lack of instruction in operating a б motor vehicle, would otherwise be qualified to obtain a Class 7 E driver's license under this chapter, may apply for a 8 temporary instruction permit. The department or county tax 9 collector shall issue such a permit entitling the applicant, 10 while having the permit in his or her immediate possession, to 11 drive a motor vehicle of the type for which a Class E driver's license is required upon the highways for a period of 90 days, 12 13 but, except when operating a motorcycle or moped as defined in 14 s. 316.003, the person must be accompanied by a licensed 15 driver who is 21 years of age or older, who is licensed to operate the class of vehicle being operated, and who is 16 17 actually occupying the closest seat to the right of the 18 driver. 19 (2) The department or county tax collector may, in its 20 discretion, issue a temporary permit to an applicant for a 21 Class D or Class E driver's license permitting him or her to operate a motor vehicle of the type for which a Class D or 22 Class E driver's license is required while the department is 23 24 completing its investigation and determination of all facts 25 relative to such applicant's right to receive a driver's license. Such permit must be in his or her immediate 26 possession while operating a motor vehicle, and it shall be 27 28 invalid when the applicant's license has been issued or for 29 good cause has been refused. (3) Any person who, except for his or her lack of 30 31 instruction in operating a Class D or commercial motor 9

1 vehicle, would otherwise be qualified to obtain a Class D or 2 commercial driver's license under this chapter, may apply for 3 a temporary Class D or temporary commercial instruction permit. The department or county tax collector shall issue 4 5 such a permit entitling the applicant, while having the permit б in his or her immediate possession, to drive a Class D or 7 commercial motor vehicle on the highways, provided that: (a) The applicant possesses a valid driver's license 8 9 issued in any state; and 10 (b) The applicant, while operating a Class D or 11 commercial motor vehicle, is accompanied by a licensed driver who is 21 years of age or older, who is licensed to operate 12 13 the class of vehicle being operated, and who is actually occupying the closest seat to the right of the driver. 14 Section 7. Subsection (3) of section 322.09, Florida 15 Statutes, is amended to read: 16 17 322.09 Application of minors.--(3) The department or county tax collector may not 18 19 issue a driver's license or learner's driver's license to any 20 applicant under the age of 18 years who is not in compliance with the requirements of s. 322.091. 21 22 Section 8. Subsection (1), paragraph (e) of subsection (2), and subsection (4) of section 322.091, Florida Statutes, 23 24 are amended to read: 25 322.091 Attendance requirements.--(1) ELIGIBILITY REQUIREMENTS FOR DRIVING 26 PRIVILEGES. -- A minor is not eligible for driving privileges 27 unless that minor: 28 29 (a) Is enrolled in a public school, nonpublic school, or home education program and satisfies relevant attendance 30 31 requirements; 10

1 (b) Has received a high school diploma, a high school 2 equivalency diploma, a special diploma, or a certificate of 3 high school completion; Is enrolled in a study course in preparation for 4 (C) 5 the Test of General Educational Development and satisfies б relevant attendance requirements; 7 (d) Is enrolled in other educational activities 8 approved by the district school board and satisfies relevant 9 attendance requirements; 10 (e) Has been issued a certificate of exemption 11 according to s. 232.06; or (f) Has received a hardship waiver under this section. 12 13 The department or county tax collector may not issue a 14 15 driver's license or learner's driver's license to, or shall suspend the driver's license or learner's driver's license of, 16 17 any minor concerning whom the department receives notification 18 of noncompliance with the requirements of this section. 19 (2) NOTIFICATION OF INTENT TO SUSPEND; SUSPENSION; RECORD OF NONCOMPLIANCE. --20 21 The department or county tax collector may not (e) issue a driver's license or learner's driver's license to any 22 minor for whom it has a record of noncompliance with the 23 24 requirements of subsection (1) unless the minor submits 25 verification of compliance pursuant to subsection (4). (4) VERIFICATION OF COMPLIANCE AND REINSTATEMENT. -- A 26 27 district school board shall provide a minor with written 28 verification that he or she is in compliance with the requirements of subsection (1) if the district determines that 29 he or she has been in compliance for 30 days prior to the 30 31 request for verification of compliance. Upon receiving 11

written verification that the minor is again in compliance 1 2 with the requirements of subsection (1), the department or 3 county tax collector shall reinstate the minor's driving privilege. Thereafter, if the school district determines that 4 5 the minor is not in compliance with the requirements of 6 subsection (1), the department shall suspend the minor's 7 driving privilege until the minor is 18 years of age or 8 otherwise satisfies the requirements of subsection (1), whichever occurs first. 9 10 Section 9. Section 322.12, Florida Statutes, is 11 amended to read: 322.12 Examination of applicants.--12 (1) It is the intent of the Legislature that every 13 applicant for an original driver's license in this state be 14 15 required to pass an examination pursuant to this section. However, the department or county tax collector may waive the 16 17 knowledge, endorsement, and skills tests for an applicant who 18 is otherwise qualified and who surrenders a valid driver's 19 license from another state or a province of Canada, or a valid 20 driver's license issued by the United States Armed Forces, if the driver applies for a Florida license of an equal or lesser 21 classification. A person who seeks to retain a 22 hazardous-materials endorsement, pursuant to s. 322.57(1)(d), 23 24 must pass the hazardous-materials test, upon surrendering his 25 or her commercial driver's license, if the person has not taken and passed the hazardous-materials test within 2 years 26 preceding his or her application for a commercial driver's 27 28 license in this state. 29 (2) The department or county tax collector shall 30 examine every applicant for a driver's license, including an 31 applicant who is licensed in another state or country, except 12

1 as otherwise provided in this chapter. A person who holds a 2 learner's driver's license as provided for in s. 322.1615 is 3 not required to pay a fee for successfully completing the 4 examination showing his or her ability to operate a motor 5 vehicle as provided for herein and need not pay the fee for a б replacement license as provided in s. 322.17(2). Any person 7 who applies for reinstatement following the suspension or 8 revocation of his or her driver's license shall pay a service fee of \$25 following a suspension, and \$50 following a 9 10 revocation, which is in addition to the fee for a license. Any 11 person who applies for reinstatement of a commercial driver's license following the disqualification of his or her privilege 12 13 to operate a commercial motor vehicle shall pay a service fee of \$50, which is in addition to the fee for a license. The 14 15 department or county tax collector shall collect all of these fees at the time of reinstatement, of which \$11 shall be 16 17 retained as a service fee if the reinstated license is 18 provided by the county tax collector. The department or county 19 tax collector shall issue proper receipts for such fees and 20 shall promptly transmit all funds received by it as follows: 21 (a) Of the \$25 fee received from a licensee for reinstatement following a suspension, if issued by the 22 department, shall deposit \$15 shall be deposited in the 23 24 General Revenue Fund and the remaining \$10 shall be deposited 25 in the Highway Safety Operating Trust Fund. If the county tax collector reinstates the license, the tax collector shall 26 forward \$14 of the \$25 fee to the department for deposit into 27 28 the General Revenue Fund and shall retain \$11 as a service 29 fee. 30 (b) Of the \$50 fee received from a licensee for 31 reinstatement following a revocation or disqualification, if 13

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1 <u>issued by</u> the department, shall deposit \$35 <u>shall be deposited</u>
2 in the General Revenue Fund and the remaining \$15 <u>shall be</u>
3 <u>deposited</u> in the Highway Safety Operating Trust Fund. <u>If the</u>
4 <u>county tax collector reinstates the license, the tax collector</u>
5 <u>shall forward \$39 of the \$50 fee to the department for deposit</u>
6 <u>into the General Revenue Fund and shall retain \$11 as a</u>
7 <u>service fee.</u>

9 If the revocation or suspension of the driver's license was 10 for a violation of s. 316.193, or for refusal to submit to a 11 lawful breath, blood, or urine test, an additional fee of \$105 must be charged. However, only one such \$105 fee is to be 12 13 collected from one person convicted of such violations arising 14 out of the same incident. The department or county tax collector shall collect the \$105 fee and deposit it into the 15 Highway Safety Operating Trust Fund at the time of 16 17 reinstatement of the person's driver's license, but the fee 18 must not be collected if the suspension or revocation was 19 overturned.

20 (3) For an applicant for a Class D or a Class E driver's license, such examination shall include a test of the 21 applicant's eyesight given by the driver's license examiner 22 designated by the department or county tax collector or by a 23 24 licensed ophthalmologist, optometrist, or physician and a test 25 of the applicant's hearing given by a driver's license examiner or a licensed physician. The examination shall also 26 include a test of the applicant's ability to read and 27 28 understand highway signs regulating, warning, and directing 29 traffic; his or her knowledge of the traffic laws of this state, including laws regulating driving under the influence 30 31 of alcohol or controlled substances, driving with an unlawful

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1 blood-alcohol level, and driving while intoxicated; and his or 2 her knowledge of the effects of alcohol and controlled 3 substances upon persons and the dangers of driving a motor 4 vehicle while under the influence of alcohol or controlled 5 substances and shall include an actual demonstration of 6 ability to exercise ordinary and reasonable control in the 7 operation of a motor vehicle.

8 (4) The examination for an applicant for a commercial 9 driver's license shall include a test of the applicant's 10 eyesight given by a driver's license examiner designated by 11 the department or county tax collector or by a licensed ophthalmologist, optometrist, or physician and a test of the 12 13 applicant's hearing given by a driver's license examiner or a licensed physician. The examination shall also include a test 14 of the applicant's ability to read and understand highway 15 signs regulating, warning, and directing traffic; his or her 16 17 knowledge of the traffic laws of this state pertaining to the 18 class of motor vehicle which he or she is applying to be 19 licensed to operate, including laws regulating driving under 20 the influence of alcohol or controlled substances, driving with an unlawful blood-alcohol level, and driving while 21 intoxicated; his or her knowledge of the effects of alcohol 22 and controlled substances and the dangers of driving a motor 23 24 vehicle after having consumed alcohol or controlled 25 substances; and his or her knowledge of any special skills, requirements, or precautions necessary for the safe operation 26 of the class of vehicle which he or she is applying to be 27 28 licensed to operate. In addition, the examination shall 29 include an actual demonstration of the applicant's ability to exercise ordinary and reasonable control in the safe operation 30 31 of a motor vehicle or combination of vehicles of the type

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1 covered by the license classification which the applicant is 2 seeking, including an examination of the applicant's ability 3 to perform an inspection of his or her vehicle. 4 (a) The portion of the examination which tests an 5 applicant's safe driving ability shall be administered by the 6 department or by an entity authorized by the department to 7 administer such examination, pursuant to s. 322.56. Such 8 examination shall be administered at a location approved by the department. 9 10 (b) A person who seeks to retain a hazardous-materials 11 endorsement must, upon renewal, pass the test for such endorsement as specified in s. 322.57(1)(d), if the person has 12 13 not taken and passed the hazardous-materials test within 2 years preceding his or her application for a commercial 14 driver's license in this state. 15 (5)(a) The department shall formulate a separate 16 17 examination for applicants for licenses to operate 18 motorcycles. Any applicant for a driver's license who wishes 19 to operate a motorcycle, and who is otherwise qualified, must 20 successfully complete such an examination, which is in addition to the examination administered under subsection (3). 21 The examination must test the applicant's knowledge of the 22 operation of a motorcycle and of any traffic laws specifically 23 24 relating thereto and must include an actual demonstration of 25 his or her ability to exercise ordinary and reasonable control in the operation of a motorcycle. In the formulation of the 26 examination, the department shall consider the use of the 27 28 Motorcycle Operator Skills Test and the Motorcycle in Traffic 29 Test offered by the Motorcycle Safety Foundation. The department or county tax collector shall indicate on the 30 31 license of any person who successfully completes the

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1 examination that the licensee is authorized to operate a 2 motorcycle. If the applicant wishes to be licensed to operate 3 a motorcycle only, he or she need not take the skill or road 4 test required under subsection (3) for the operation of a 5 motor vehicle, and the department or county tax collector б shall indicate such a limitation on his or her license as a 7 restriction. Every first-time applicant for licensure to operate a motorcycle who is under 21 years of age must provide 8 9 proof of completion of a motorcycle safety course, as provided 10 for in s. 322.0255, before the applicant may be licensed to 11 operate a motorcycle. 12 (b) The department or county tax collector may exempt any applicant from the examination provided in this subsection 13 14 if the applicant presents a certificate showing successful 15 completion of a course approved by the department, which course includes a similar examination of the knowledge and 16 17 skill of the applicant in the operation of a motorcycle. Section 10. Subsection (3) of section 322.121, Florida 18 19 Statutes, is amended to read: 322.121 Periodic reexamination of all drivers.--20 (3) For each licensee whose driving record does not 21 show any revocations, disqualifications, or suspensions for 22 23 the preceding 7 years or any convictions for the preceding 3 24 years except for convictions of the following nonmoving 25 violations: (a) Failure to exhibit a vehicle registration 26 27 certificate, rental agreement, or cab card pursuant to s. 28 320.0605; 29 (b) Failure to renew a motor vehicle or mobile home registration that has been expired for 4 months or less 30 31 pursuant to s. 320.07(3)(a); 17

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           (C)
               Operating a motor vehicle with an expired license
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    that has been expired for 4 months or less pursuant to s.
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    322.065;
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           (d) Failure to carry or exhibit a license pursuant to
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    s. 322.15(1); or
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           (e) Failure to notify the department or county tax
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    collector of a change of address or name within 10 days
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   pursuant to s. 322.19,
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    the department or county tax collector shall cause such
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    licensee's license to be prominently marked with the notation
    "Safe Driver."
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           Section 11.
                        Section 322.13, Florida Statutes, is
   amended to read:
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           322.13 Driver's license examiners.--
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           (1)(a) The department or county tax collector shall
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    designate employees or other persons to serve as driver's
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    license examiners who, upon accepting such designation, shall
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    conduct examinations hereunder, perform other assigned duties,
    and make factual reports of findings and recommendations to
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    the department or county tax collector as it may require. In
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    the course of his or her duties, an examiner may is authorized
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    to administer oaths or have persons affirm as to the truth of
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    statements filed before him or her.
           (b) Those persons serving as driver's license
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    examiners are not liable for actions taken within the scope of
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    their employment or designation, except as provided by s.
    768.28.
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                The department or county tax collector shall
           (2)
   further designate employees or other persons to serve as
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   driver's license examiners to enforce all driver's license
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1 laws; suspension, revocation, and cancellation orders; and 2 laws relating to the registration of motor vehicles entered in 3 compliance with the provisions of this chapter and chapters 4 320, 324, and 488. Upon designation, certain examiners shall 5 be empowered to issue uniform traffic citations to persons б found in violation of such chapters. Any person who fails or 7 refuses to surrender his or her driver's license, registration 8 certificate, and license plate upon lawful demand of an 9 examiner is guilty of a misdemeanor of the second degree, 10 punishable as provided in s. 775.082 or s. 775.083. Persons 11 designated as examiners by the department or county tax collector shall not be considered for membership in the state 12 13 high-risk retirement program. Section 12. Paragraph (a) of subsection (1) of section 14 322.14, Florida Statutes, is amended to read: 15 322.14 Licenses issued to drivers.--16 17 (1)(a) The department or county tax collector shall, upon successful completion of all required examinations and 18 19 payment of the required fee, issue to every applicant 20 qualifying therefor, a driver's license as applied for, which license shall bear thereon a color photograph or digital image 21 of the licensee; the name of the state; a distinguishing 22 number assigned to the licensee; and the licensee's full name, 23 24 date of birth, and mailing address; a brief description of the 25 licensee, including, but not limited to, the licensee's gender and height; and the dates of issuance and expiration of the 26 license. A space shall be provided upon which the licensee 27 28 shall affix his or her usual signature. No license shall be 29 valid until it has been so signed by the licensee except that the signature of said licensee shall not be required if it 30 31 appears thereon in facsimile or if the licensee is not present

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1 within the state at the time of issuance. Applicants qualifying to receive a Class A, Class B, or Class C driver's 2 3 license must appear in person within the state for issuance of 4 a color photographic or digital imaged driver's license 5 pursuant to s. 322.142. б Section 13. Section 322.141, Florida Statutes, is 7 amended to read: 322.141 Color of licenses.--8 9 (1) All licenses originally issued or reissued by the 10 department or county tax collector to persons under the age of 11 21 years for the operation of motor vehicles shall have markings or color which shall be obviously separate and 12 13 distinct from all other licenses issued by the department or 14 county tax collector for the operation of motor vehicles. (2)(a) All licenses for the operation of motor 15 vehicles originally issued or reissued by the department or 16 17 county tax collector to persons who have insulin-dependent 18 diabetes may, at the request of the applicant, have 19 distinctive markings separate and distinct from all other 20 licenses issued by the department or county tax collector. 21 (b) At the time of application for original license or 22 reissue, the department or county tax collector shall require such proof as it deems appropriate that a person has 23 24 insulin-dependent diabetes. Section 14. Subsections (1) and (2) of section 25 322.142, Florida Statutes, are amended to read: 26 27 322.142 Color photographic or digital imaged 28 licenses.--29 The department or county tax collector shall, upon (1)receipt of the required fee, issue to each qualified applicant 30 31 for an original driver's license a color photographic or 20 **CODING:**Words stricken are deletions; words underlined are additions.

1 digital imaged driver's license bearing a fullface photograph 2 or digital image of the licensee. A space shall be provided 3 upon which the licensee shall affix his or her usual 4 signature, as required in s. 322.14, in the presence of an 5 authorized agent of the department or county tax collector so б as to ensure that such signature becomes a part of the 7 license. 8 The department or county tax collector shall, upon (2) 9 receipt of the required fee, issue to each qualified licensee 10 applying for a renewal license in accordance with s. 322.18 a 11 color photographic or digital imaged license as provided for in subsection (1). 12 13 Section 15. Paragraphs (b) and (c) of subsection (1) of section 322.161, Florida Statutes, are amended to read: 14 322.161 High-risk drivers; restricted licenses.--15 16 (1)17 (b) Upon determination that any person has accumulated 18 six or more points, the department shall notify the licensee 19 and issue the licensee a restricted license for business 20 purposes only. The licensee must appear before the department or county tax collector within 10 days after notification to 21 have this restriction applied. The period of restriction shall 22 be for a period of no less than 1 year beginning on the date 23 24 it is applied by the department or county tax collector. 25 (c) The restriction shall be automatically withdrawn by the department after 1 year if the licensee does not 26 accumulate any additional points. If the licensee accumulates 27 28 any additional points, then the period of restriction shall be 29 extended 90 days for each point. The restriction shall also be automatically withdrawn upon the licensee's 18th birthday if 30 31 no other grounds for restriction exist. The licensee must 21

1 appear before the department or county tax collector to have 2 the restriction removed and a duplicate license issued. 3 Section 16. Subsection (1) of section 322.1615, Florida Statutes, is amended to read: 4 5 322.1615 Learner's driver's license.-б The department or county tax collector may issue a (1)7 learner's driver's license to a person who is at least 15 8 years of age and who: 9 (a) Has passed the written examination for a learner's 10 driver's license; 11 (b) Has passed the vision and hearing examination administered under s. 322.12; 12 13 (c) Has completed the traffic law and substance abuse education course prescribed in s. 322.095; and 14 15 (d) Meets all other requirements set forth in law and 16 by rule of the department. 17 Section 17. Section 322.17, Florida Statutes, is 18 amended to read: 19 322.17 Duplicate and replacement certificates.--20 (1)(a) In the event that an instruction permit or 21 driver's license issued under the provisions of this chapter 22 is lost or destroyed, the person to whom the same was issued may, upon payment of \$10, obtain a duplicate, or substitute 23 24 thereof, upon furnishing proof satisfactory to the department 25 or county tax collector that such permit or license has been lost or destroyed, and further furnishing the full name, date 26 of birth, sex, residence and mailing address, proof of birth 27 28 satisfactory to the department or county tax collector, and 29 proof of identity satisfactory to the department. Four Five dollars of the fee levied in this paragraph shall go to the 30 31 Highway Safety Operating Trust Fund of the department and, if 22

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1 the permit or license is reissued by the county tax collector, 2 the tax collector shall retain \$6 as a service fee. 3 If In the event that an instruction permit or (b) driver's license issued under the provisions of this chapter 4 5 is stolen, the person to whom the same was issued may, at no б charge, obtain a duplicate, or substitute thereof, upon 7 furnishing proof satisfactory to the department or county tax 8 collector that such permit or license was stolen and further furnishing the full name, date of birth, sex, residence and 9 10 mailing address, proof of birth satisfactory to the 11 department, and proof of identity satisfactory to the department or county tax collector. 12 (2) Upon the surrender of the original license and the 13 payment of a \$10 replacement fee, the department or county tax 14 collector shall issue a replacement license to make a change 15 in name, address, or restrictions. If the department replaces 16 17 the license, the entire \$10 fee shall be deposited into the Highway Safety Operating Trust Fund. If the county tax 18 19 collector replaces the license, the tax collector shall forward \$4 of the \$10 fee to the department for deposit into 20 21 the Highway Safety Operating Trust Fund and shall retain \$6 as reimbursement for the cost of replacing the license. 22 23 (3) Upon written request by the licensee and 24 notification of a change in address, and the payment of a \$10 25 fee, the department or county tax collector shall issue an address sticker that which shall be affixed to the back of the 26 license by the licensee. If the department issues the address 27 28 sticker, the entire \$10 fee shall be deposited into the 29 Highway Safety Operating Trust Fund. If the county tax 30 collector issues the address sticker, the tax collector shall 31 forward \$5 of the \$10 fee to the department for deposit into 23

1 the Highway Safety Operating Trust Fund and shall retain \$5 as reimbursement for the cost of issuing the sticker.Nine 2 3 dollars of the fee levied in this subsection shall go to the Highway Safety Operating Trust Fund of the department. 4 5 Section 18. Subsections (1), (4), (5), (6), (7), and б (8) of section 322.18, Florida Statutes, are amended to read: 7 322.18 Original applications, licenses, and renewals; 8 expiration of licenses; delinquent licenses.--9 (1)(a) Except as provided in paragraph (b), the 10 department or county tax collector may issue an original 11 driver's license only after the applicant successfully passes the required examinations and presents the application to the 12 13 department or county tax collector. (b) The department or county tax collector may waive 14 the driver's license examination requirement if the applicant 15 is otherwise qualified and surrenders a valid license issued 16 17 by another state, a province of Canada, or the United States Armed Forces which is of an equal or lesser classification as 18 19 provided in s. 322.12. 20 (4) Except as otherwise provided in this chapter, all 21 licenses shall be renewable every 4 years or 6 years, depending upon the terms of issuance and shall be issued or 22 extended upon application, payment of the fees required by s. 23 24 322.21, and successful passage of any required examination, 25 unless the department or county tax collector has reason to believe that the licensee is no longer qualified to receive a 26 27 license. 28 (5) All renewal driver's licenses may be issued after 29 the applicant licensee has been determined to be eligible by 30 the department or county tax collector. 31 24

1 (6) If the licensee does not receive a renewal notice, 2 the licensee or applicant may apply to the department or 3 county tax collector, under oath, at any driver's license examining office. Such application shall be on a form prepared 4 5 and furnished by the department. The department shall make 6 such forms available to the various authorized examining offices throughout the state. Upon receipt of such 7 8 application, the department or county tax collector shall 9 issue a license or temporary permit to the applicant or shall 10 advise the applicant that no license or temporary permit will 11 be issued and advise the applicant of the reason for his or her ineligibility. 12 13 (7) An expired Florida driver's license may be renewed any time within 12 months after the expiration date, with 14 reexamination, if required, upon payment of the required 15 delinquent fee or taking and passing the written examination. 16 17 If the final date upon which a license may be renewed under 18 this section falls upon a Saturday, Sunday, or legal holiday, 19 the renewal period shall be extended to midnight of the next 20 regular working day. The department or county tax collector may refuse to issue any license if: 21 (a) It has reason to believe the licensee is no longer 22 qualified to receive a license. 23 24 (b) Its records reflect that the applicant's driving privilege is under suspension or revocation. 25 (8) The department or county tax collector shall issue 26 27 4-year and 6-year license extensions by mail, electronic, or 28 telephonic means without reexamination. 29 (a) If the department or county tax collector 30 determines from its records that the holder of a license about 31 to expire is eligible for renewal, the department or county 25

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1 tax collector shall mail a renewal notice to the licensee at his or her last known address, not less than 30 days prior to 2 3 the licensee's birthday. The renewal notice shall direct the 4 licensee to appear at an authorized $\frac{1}{2}$ driver license office 5 for in-person renewal or to transmit the completed renewal б notice and the fees required by s. 322.21 to the department or 7 county tax collector by mail, electronically, or 8 telephonically within the 30 days preceding the licensee's 9 birthday for a license extension. License extensions shall not 10 be available to drivers directed to appear for in-person 11 renewal.

(b) Upon receipt of a properly completed renewal notice, payment of the required fees, and upon determining that the licensee is still eligible for renewal, the department <u>or county tax collector</u> shall send a license extension sticker to the licensee to affix to the expiring license as evidence that the license term has been extended.

(c) The department or county tax collector shall issue 18 19 license extensions for two consecutive license expirations only. Upon expiration of two consecutive license extension 20 periods, in-person renewal with reexamination as provided in 21 22 s. 322.121 shall be required. A person who is out of this state when his or her license expires may be issued a 90-day 23 24 temporary driving permit without reexamination. At the end of 25 the 90-day period, the person must either return to this state or apply for a license where the person is located, except for 26 27 a member of the Armed Forces as provided in s. 322.121(6). 28 (d) In-person renewal at an authorized a driver 29 license office shall not be available to drivers whose records

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indicate they were directed to apply for a license extension.

1 (e) Any person who knowingly possesses any forged, 2 stolen, fictitious, counterfeit, or unlawfully issued license 3 extension sticker, unless possession by such person has been 4 duly authorized by the department, commits a misdemeanor of 5 the second degree, punishable as provided in s. 775.082 or s. б 775.083. 7 (f) The department shall develop a plan for the 8 equitable distribution of license extensions and renewals and 9 the orderly implementation of this section. 10 Section 19. Subsections (1), (3), (4), (11), (12), 11 (13), and (14) of section 322.20, Florida Statutes, are amended to read: 12 13 322.20 Records of the department; fees; destruction of records.--14 The department shall maintain a record of every 15 (1)application for license received by it or the county tax 16 17 collectors. The possession of such an application form, 18 whether filled out or in blank, or of a counterfeit thereof, 19 not authorized by the department or its personnel constitutes 20 a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083. 21 (3) The department shall maintain convenient records 22 or make suitable notations, in order that the individual 23 24 driver history record of each licensee is readily available 25 for the consideration of the department or county tax collector upon application for renewal of a license and at 26 27 other suitable times. The release by the department of the 28 driver history record, with respect to crashes involving a 29 licensee, shall not include any notation or record of the occurrence of a motor vehicle crash unless the licensee 30 31 received a traffic citation as a direct result of the crash,

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1 and to this extent such notation or record is exempt from the 2 provisions of s. 119.07(1). 3 (4) It is unlawful for any person to falsify, alter, erase, remove, or destroy, or cause to be altered, erased, 4 5 removed, or destroyed, any record maintained by the department б or county tax collector unless the alteration, erasure, removal, or destruction has been duly authorized. 7 8 (11)(a) The department or county tax collector may is 9 authorized to charge the following fees for the following 10 services and documents: 11 1. For providing a transcript of any one individual's driver history record or any portion thereof for the past 3 12 years or for searching for such record when no record is found 13 14 to be on file.....\$2.10 2. For providing a transcript of any one individual's 15 driver history record or any portion thereof for the past 7 16 years or for searching for such record when no record is found 17 18 to be on file.....\$3.10 3. For providing a certified copy of a transcript of 19 20 the driver history record or any portion thereof for any one 21 individual.....\$3.10 For providing a certified photographic copy of a 22 4. 23 document, per page.....\$1.00 24 5. For providing an exemplified record.....\$15.00 25 For providing photocopies of documents, papers, 6. letters, clearances, or license or insurance status reports, 26 27 per page.....\$0.50 28 7. For assisting persons in searching any one 29 individual's driver record at a terminal located at the 30 department's general headquarters in Tallahassee.....\$2.00 31

1	(b) The department shall furnish such information
2	without charge to any local, state, or federal law enforcement
3	agency or court upon proof satisfactory to the department as
4	to the purpose of the investigation.
5	(12) If the service is provided by the department, the
6	fees collected under this section shall be placed in the
7	Highway Safety Operating Trust Fund. If the service is
8	provided by the county tax collector, the fees collected under
9	this section shall be retained by the tax collector as
10	reimbursement for providing the service as agent of the
11	department.
12	(13) The department <u>or county tax collector may</u> is
13	authorized in accordance with chapter 257 <u>,</u> to destroy reports,
14	records, documents, papers, and correspondence in the Division
15	of Driver Licenses or the tax collector's office which are
16	considered obsolete.
17	(14) The department <u>or county tax collector may</u> is
18	authorized to photograph, microphotograph, or reproduce on
19	film such documents, records, and reports as it may select.
20	The photographs or microphotographs in the form of film or
21	print of any records made in compliance with the provisions of
22	this section shall have the same force and effect as the
23	originals thereof and shall be treated as originals for the
24	purpose of their admissibility in evidence. Duly certified or
25	authenticated reproductions of such photographs or
26	microphotographs shall be admitted in evidence equally with
27	the original photographs or microphotographs.
28	Section 20. Subsections (2) , (3) , (4) , and (5) of
29	section 322.21, Florida Statutes, are amended to read:
30	322.21 License fees; procedure for handling and
31	collecting fees
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1	(2) It is the duty of The Director of the Division of
2	Driver Licenses <u>shall</u> to set up a division in the department
3	with the necessary personnel to perform the necessary clerical
4	and routine work for the department and the county tax
5	collector shall provide sufficient personnel to perform all
6	clerical and routine work for the tax collector in issuing and
7	recording applications, licenses, and certificates of
8	eligibility, including the receiving <u>, and</u> accounting <u>, and</u>
9	proper disbursement of all license funds and their payment
10	into the State Treasury, and performing other incidental
11	clerical work connected with the administration of this
12	chapter. The department <u>or county tax collector may</u> $rac{\mathrm{i} \mathrm{s}}{\mathrm{i} \mathrm{s}}$
13	authorized to use such electronic, mechanical, or other
14	devices as necessary to accomplish the purposes of this
15	chapter.
16	(3) The department shall prepare sufficient forms for
17	certificates of eligibility, applications, notices, and
18	license materials to supply all authorized agents and all
19	applicants for driver's licenses and all renewal licenses.
20	(4) If the department or county tax collector
21	determines from its records or is otherwise satisfied that the
22	holder of a license about to expire is entitled to have it
23	renewed, the department or county tax collector shall mail a
24	renewal notice to him or her at his or her last known address,
25	not less than 30 days prior to the licensee's birthday. The
26	licensee shall be issued a renewal license, after
27	reexamination, if required, during the 30 days immediately
28	preceding his or her birthday upon presenting a renewal
29	notice, his or her current license, and the fee for renewal to
30	the department or county tax collector at any driver's license
31	examining office.

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1	(5) (a) The department shall collect and transmit all
2	fees received by it under this section to the Treasurer to be
3	placed in the General Revenue Fund of the state, and
4	sufficient funds for the necessary expenses of the department
5	shall be included in the appropriations act. The fees shall
б	be used for the maintenance and operation of the department.
7	(b) A county tax collector, when serving as an
8	authorized agent for the department, shall retain as
9	reimbursement for actual services rendered the following
10	portions of fees:
11	1. For renewal of a commercial driver's license as
12	provided under paragraph (1)(a), \$7 of the \$50 fee and, when
13	applicable, 50 cents of the delinquent fee of \$1.
14	2. For issuance of an original Class D or Class E
15	driver's license as provided under paragraph (1)(b) or a
16	learner's driver's license as provided under s. 322.1615, \$13
17	of the \$20 fee.
18	3. For renewal or extension of a Class D or Class E
19	driver's license as provided under paragraph (1)(c) or a
20	license restricted to motorcycle use only, \$5 of the \$15 fee
21	and, when applicable, the delinquent fee of \$1.
22	4. For issuance of an original driver's license
23	restricted to motorcycle use only, \$15 of the \$20 fee.
24	5. For issuance of an endorsement required under s.
25	322.57, \$5.
26	Section 21. Section 322.221, Florida Statutes, is
27	amended to read:
28	322.221 Department <u>or county tax collector</u> may require
29	reexamination
30	(1) The department, having good cause to believe that
31	a licensed driver is incompetent or otherwise not qualified to
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COD	ING: Words stricken are deletions; words <u>underlined</u> are additions.

be licensed, may, at any time upon written notice of at least days to the licensee, require him or her to submit to an examination or reexamination. Good cause as used herein shall be construed to mean that a licensee's driving record, a report as provided in s. 322.126, or other evidence is sufficient to indicate that his or her driving privilege is detrimental to public safety.

8 (2)(a) The department may require an examination or 9 reexamination to determine the competence and driving ability 10 of any driver causing or contributing to the cause of any 11 crash resulting in death, personal injury, or property damage.

(b) The department or county tax collector may, in 12 13 their its discretion, require any licensed driver to submit to an examination or reexamination prior to his or her normal 14 renewal date upon receipt of a recommendation from a court 15 having jurisdiction of traffic offenses, a law enforcement 16 17 agency, or a physician stating that the driver's ability to operate a motor vehicle safely is questionable. At the time 18 19 of renewal of his or her license a driver may be required to 20 submit to an examination or reexamination at the discretion of the examiner if the physical appearance or actions of the 21 licensee give rise to serious doubt as to his or her ability 22 to operate a vehicle safely. 23

24 (c) If the department or county tax collector has 25 reason to believe that a licensee is physically or mentally unqualified to operate a motor vehicle, it may require the 26 licensee to submit medical reports regarding his or her 27 28 physical or mental condition to the department's medical 29 advisory board for its review and recommendation. The submission of medical reports shall be made without expense to 30 31 the state.

1	(3) Upon the conclusion of such examination or
2	reexamination the department shall take action as may be
3	appropriate and may suspend or revoke the license of such
4	person or permit him or her to retain such license, or may
5	issue a license subject to restrictions as permitted under s.
6	322.16. Refusal or neglect of the licensee to submit to such
7	examination or reexamination shall be ground for suspension or
8	revocation of his or her license.
9	Section 22. Subsections (3) and (6) of section
10	322.251, Florida Statutes, are amended to read:
11	322.251 Notice of cancellation, suspension,
12	revocation, or disqualification of license
13	(3) Whenever the driving privilege is suspended,
14	revoked, or disqualified under the provisions of this chapter,
15	the period of such suspension, revocation, or disqualification
16	shall be indicated on the order of suspension, revocation, or
17	disqualification, and the department shall require the
18	licensee whose driving privilege is suspended, revoked, or
19	disqualified to surrender all licenses then held by him or her
20	to the department or county tax collector. However, should the
21	person fail to surrender such licenses, the suspension,
22	revocation, or disqualification period shall not expire until
23	a period identical to the period for which the driving
24	privilege was suspended, revoked, or disqualified has expired
25	after the date of surrender of the licenses, or the date an
26	affidavit swearing such licenses are lost has been filed with
27	the department or county tax collector. In any instance where
28	the suspension, revocation, or disqualification order is
29	mailed as provided in this section herein, and the license is
30	not surrendered to the department, and such license thereafter
31	expires, the department <u>or county tax collector may</u> shall not
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renew that license until a period of time identical to the 1 period of such suspension, revocation, or disqualification 2 3 imposed has expired. (6) Whenever a cancellation, suspension, revocation, 4 5 or disqualification occurs, the department shall enter the б cancellation, suspension, revocation, or disqualification 7 order on the licensee's driver file 20 days after the notice 8 was actually placed in the mail. Any inquiry into the file 9 after the 20-day period shall reveal that the license is 10 canceled, suspended, revoked, or disqualified and whether the 11 license has been received by the department or county tax 12 collector. Section 23. Paragraph (a) of subsection (2) of section 13 322.282, Florida Statutes, is amended to read: 14 322.282 Procedure when court revokes or suspends 15 license or driving privilege and orders reinstatement. -- When a 16 17 court suspends or revokes a person's license or driving 18 privilege and, in its discretion, orders reinstatement as 19 provided by s. 322.28(2)(d) or former s. 322.261(5): 20 (2)(a) The court shall issue an order of 21 reinstatement, on a form to be furnished by the department, which the person may take to any driver's license examining 22 office. The department or county tax collector shall issue a 23 24 temporary driver's permit to a licensee who presents the 25 court's order of reinstatement, proof of completion of a department-approved driver training or substance abuse 26 27 education course, and a written request for a hearing under s. 28 322.271. The permit shall not be issued if a record check by 29 the department or county tax collector shows that the person has previously been convicted for a violation of s. 316.193, 30 31 former s. 316.1931, former s. 316.028, former s. 860.01, or a 34

1 previous conviction outside this state for driving under the 2 influence, driving while intoxicated, driving with an unlawful 3 blood-alcohol level, or any similar alcohol-related or drug-related traffic offense; that the person's driving 4 5 privilege has been previously suspended for refusal to submit б to a lawful test of breath, blood, or urine; or that the 7 person is otherwise not entitled to issuance of a driver's 8 license. This paragraph shall not be construed to prevent the 9 reinstatement of a license or driving privilege that is 10 presently suspended for driving with an unlawful blood-alcohol 11 level or a refusal to submit to a breath, urine, or blood test and is also revoked for a conviction for a violation of s. 12 316.193 or former s. 316.1931, if the suspension and 13 revocation arise out of the same incident. 14 Section 24. Subsection (4) of section 322.32, Florida 15 Statutes, is amended to read: 16 17 322.32 Unlawful use of license.--It is a misdemeanor of the second degree, punishable as provided in s. 775.082 or 18 19 s. 775.083, for any person: 20 (4) To fail or refuse to surrender to the department or county tax collector or to any law enforcement officer, 21 upon lawful demand, any driver's license in his or her 22 possession that has been suspended, revoked, disqualified, or 23 24 canceled. 25 Section 25. This act shall take effect October 1, 2002. 26 27 28 29 30 31 35

1	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
2	Senate Bill 2224
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4	The CS provides for the retention by applicable tax collectors of a portion of existing fees for specific driver license services performed by tax collectors.
5	services performed by tax collectors.
6	Extends to applicable county tay collectors specific driver
7	Extends to applicable county tax collectors specific driver license-related duties and responsibilities currently granted to the department.
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