

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 2126
 SPONSOR: Senator Clary
 SUBJECT: Driver's Licenses
 DATE: March 26, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Eichin</u>	<u>Meyer</u>	<u>TR</u>	<u>Favorable</u>
2.	_____	_____	<u>JU</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

This bill amends s. 322.09, F.S., to authorize a secondary guardian to sign a driver's license application for a minor under the age of 18 years, if the primary guardian withdraws consent or dies prior to the minor reaching the age of eighteen. This bill also amends s. 322.11, F.S., to require notice to be sent to a minor ninety days prior to canceling his or her driver's license due to the death of the person who co-signed the initial application.

This bill substantially amends sections 322.09 and 322.11 of the Florida Statutes.

II. Present Situation:

Currently, s. 322.09, F.S., requires the application of any person under the age of 18 years for a driver's license must be signed and verified before a person authorized to administer oaths by the father, mother, or guardian, or, if there is no parent or guardian, by another responsible adult who is willing to assume the obligation imposed under this chapter. This section does not apply to a person under the age of eighteen years who is emancipated by marriage.

Section 322.11, F.S., requires the Department of Highway Safety and Motor Vehicles to cancel the driver's license of a minor, upon proof of the death of the parent, guardian, or responsible adult who signed the minor's application for a license. The department may not issue a new license until such time as a new application, duly signed and verified as required by this chapter, is made. Upon the death of the parent, guardian, or responsible adult, the department provides written notice prior to the cancellation of a minor's license. By current department policy, the effective date of the cancellation is twenty days from the date the department receives notification the person who signed the application is deceased.

III. Effect of Proposed Changes:

The bill amends s. 322.09, F.S., to allow a secondary guardian to sign and accept responsibility for a minor's driving if the primary guardian withdraws consent or dies prior to the minor reaching 18 years of age.

This bill amends s. 322.11, F.S., to provide for cancellation of a minor driver's license ninety days after giving written notice to the minor following the death of the person who signed the driver's license application.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
