

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

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

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Prepared By: The Professional Staff of the Budget Committee

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BILL: SB 1190

INTRODUCER: Senator Detert and others

SUBJECT: Driver's Licenses and Identification Cards

DATE: April 8, 2011

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

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Fleming</u>	<u>Carter</u>	<u>MS</u>	<b>Favorable</b>
2.	<u>Davis</u>	<u>Spalla</u>	<u>TR</u>	<b>Favorable</b>
3.	<u>Carey</u>	<u>Meyer, C.</u>	<u>BC</u>	<b>Pre-meeting</b>
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

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**I. Summary:**

This bill allows a veteran who presents proof of military service and pays an additional \$1 fee to the Department of Highway Safety and Motor Vehicles (DHSMV) to receive a capital "V" on his or her driver license or identification card.

This bill substantially amends the following sections of the Florida Statutes: 322.14 and 322.051.

**II. Present Situation:**

**Issuance of Florida Identification Cards and Driver Licenses**

Sections 322.051 and 322.08, F.S., provide requirements for the issuance of an identification card or driver's license. An applicant must submit the following proof of identity:

- 1) Full name (first, middle or maiden, and last), gender, proof of social security card number satisfactory to the department, county of residence, mailing address, proof of residential address satisfactory to the department, country of birth, and a brief description;
- 2) Proof of birth date satisfactory to the department; and
- 3) Proof of identity satisfactory to DHSMV. Such proof must include one of the following documents issued to the applicant:
  - a) A driver's license record or identification card record from another jurisdiction that required the applicant to submit a document for identification which is substantially similar to a document required under sub-subparagraphs b. through g., below;
  - b) A certified copy of a United States birth certificate;
  - c) A valid, unexpired United States passport;
  - d) A naturalization certificate issued by the United States Department of Homeland Security;

- e) A valid, unexpired alien registration receipt card (green card);
- f) A Consular Report of Birth Abroad provided by the United States Department of State;
- g) An unexpired employment authorization card issued by the United States Department of Homeland Security; or
- h) Proof of nonimmigrant classification provided by the United States Department of Homeland Security, for an original identification card. In order to prove such nonimmigrant classification, applicants may produce but are not limited to the following documents:
  - A notice of hearing from an immigration court scheduling a hearing on any proceeding.
  - A notice from the Board of Immigration Appeals acknowledging pendency of an appeal.
  - Notice of the approval of an application for adjustment of status issued by the United States Bureau of Citizenship and Immigration Services.
  - Any official documentation confirming the filing of a petition for asylum or refugee status or any other relief issued by the United States Bureau of Citizenship and Immigration Services.
  - Notice of action transferring any pending matter from another jurisdiction to Florida, issued by the United States Bureau of Citizenship and Immigration Services.
  - Order of an immigration judge or immigration officer granting any relief that authorizes the alien to live and work in the United States including, but not limited to asylum.
  - Evidence that an application is pending for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent resident status in the United States, if a visa number is available having a current priority date for processing by the United States Bureau of Citizenship and Immigration Services.
  - On or after January 1, 2010, an unexpired foreign passport with an unexpired United States Visa affixed, accompanied by an approved I-94, documenting the most recent admittance into the United States.

The resulting driver license must contain a color photograph of the licensee, the name of the state, a unique identification number, and the licensee's full name, date of birth, and residence address.<sup>1</sup>

### **Veterans in Florida**

Florida has the third largest population of veterans in the nation with more than 1.6 million. Only California and Texas have larger populations of veterans.<sup>2</sup> Section 1.01(14), F.S., defines the term "veteran" as a person who served in the active military, naval, or air service and who was discharged or released therefrom under honorable conditions only or who later received an upgraded discharge under honorable conditions, notwithstanding any action by the United States

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<sup>1</sup> Section 322.14, F.S.

<sup>2</sup> Florida Department of Veterans' Affairs. 2009-10 Annual Report. Available at: [http://www.floridavets.org/pdf/ann\\_rprt\\_10.pdf](http://www.floridavets.org/pdf/ann_rprt_10.pdf)

Department of Veterans Affairs on individuals discharged or released with other than honorable discharges.

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

This bill amends s. 322.14, F.S., to permit a veteran to request a capital "V" on his or her driver license. This bill amends s. 322.051, F.S., to permit a veteran to request a capital "V" on his or her identification card.

In order to receive a capital "V" on either of these documents, the bill requires a veteran to present his or her DD Form 214 (a "Certificate of Release or Discharge from Active Duty," promulgated by the United States Department of Defense) to DHSMV, along with an additional \$1 fee.

This bill provides an effective date of July 1, 2011.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

Veterans who desire a capital "V" on their driver license or identification card will be charged an additional \$1 fee.

#### **C. Government Sector Impact:**

The Department of Highway Safety and Motor Vehicles believes that implementing this legislation will require in-house programming modifications will be managed within

existing workload. However, this bill will also require contracted programming to the driver license issuance system at a cost of \$35,000 to implement.<sup>3</sup>

The additional \$1 fee for a driver license or identification stamped with a capital “V” will be distributed to the General Revenue Fund. A positive, but indeterminate, fiscal impact is expected.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**

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

None.

**B. Amendments:**

None.

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

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<sup>3</sup> Department of Highway Safety and Motor Vehicles. *Agency Senate Bill 1190 Analysis*. (March 9, 2011, on file with the Senate Transportation Committee).