



948408

LEGISLATIVE ACTION

Senate	.	House
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Senator Wise moved the following:

1 **Senate Amendment to Amendment (302038) (with title**
2 **amendment)**

3
4 Between lines 475 and 476
5 insert:

6 Section 12. Section 322.1415, Florida Statutes, is created
7 to read:

8 322.1415 Specialty driver's license and identification card
9 program.—

10 (1) The department may issue to any applicant qualified
11 pursuant to s. 322.14 a specialty driver's license or
12 identification card upon payment of the appropriate fee pursuant
13 to s. 322.21.



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14 (2) Department-approved specialty driver's licenses and
15 identification cards shall, at a minimum, be available for state
16 and independent universities domiciled in this state, all
17 Florida professional sports teams designated in s.
18 320.08058(9) (a), and all branches of the United States military.

19 (3) The design and use of each specialty driver's license
20 and identification card must be approved by the department and
21 the organization that is recognized by the driver's license or
22 card.

23 (4) Organizations receiving funds from this program shall
24 attest as provided in 320.08062 that the funds have been
25 expended in the same manner as provided in s. 320.08058. On
26 December 1 of each year, the department shall deliver an annual
27 report to the President of the Senate and the Speaker of the
28 House of Representatives addressing the viability of the program
29 and detailing the amounts distributed to each entity.

30 (5) This section is repealed August 31, 2015.

31 Section 13. Subsection (2) of section 322.19, Florida
32 Statutes, is amended to read:

33 322.19 Change of address or name.—

34 (2) Whenever any person, after applying for or receiving a
35 driver's license, changes the legal residence or mailing address
36 in the application or license, the person must, within 10
37 calendar days, obtain a replacement license that reflects the
38 change. A written request to the department must include the old
39 and new addresses and the driver's license number. Persons with
40 a valid, current student identification card issued by an
41 educational institution in this state are presumed not to have
42 changed their legal residence or mailing address. Nothing in



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43 this provision shall affect any person required to register a
44 permanent or temporary address change pursuant to s. 775.13, s.
45 775.21, s. 775.25, or s. 943.0435.

46 Section 14. Subsections (9), (10), (13), (14), and (16) of
47 section 322.20, Florida Statutes, are amended to read:

48 322.20 Records of the department; fees; destruction of
49 records.-

50 (9) The department may, upon application, furnish to any
51 person, from its ~~the records of the Division of Driver Licenses,~~
52 a list of the names, addresses, and birth dates of the licensed
53 drivers of the entire state or any portion thereof by age group.
54 In addition, the department may furnish to the courts, for the
55 purpose of establishing jury selection lists, the names,
56 addresses, and birth dates of the persons of the entire state or
57 any portion thereof by age group having identification cards
58 issued by the department. Each person who requests such
59 information shall pay a fee, set by the department, of 1 cent
60 per name listed, except that the department shall furnish such
61 information without charge to the courts for the purpose of jury
62 selection or to any state agency or to any state attorney,
63 sheriff, or chief of police. Such court, state agency, state
64 attorney, or law enforcement agency may not sell, give away, or
65 allow the copying of such information. Noncompliance with this
66 prohibition shall authorize the department to charge the
67 noncomplying court, state agency, state attorney, or law
68 enforcement agency the appropriate fee for any subsequent lists
69 requested. The department may adopt rules necessary to implement
70 this subsection.

71 (10) The department ~~Division of Driver Licenses~~ is



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72 authorized, upon application of any person and payment of the
73 proper fees, to search and to assist such person in the search
74 of the records of the department and make reports thereof and to
75 make photographic copies of the departmental records and
76 attestations thereof.

77 (13) The department ~~Division of Driver Licenses~~ shall
78 implement a system that allows either parent of a minor, or a
79 guardian, or other responsible adult who signed a minor's
80 application for a driver's license to have Internet access
81 through a secure website to inspect the minor's driver history
82 record. Internet access to driver history records granted to a
83 minor's parents, guardian, or other responsible adult shall be
84 furnished by the department at no fee and shall terminate when
85 the minor attains 18 years of age.

86 (14) The department is authorized in accordance with
87 chapter 257 to destroy reports, records, documents, papers, and
88 correspondence in the department ~~Division of Driver Licenses~~
89 which are considered obsolete.

90 (16) The creation and maintenance of records by the
91 Division of Motorist Services within the department ~~and the~~
92 ~~Division of Driver Licenses~~ pursuant to this chapter shall not
93 be regarded as law enforcement functions of agency
94 recordkeeping.

95 Section 15. Section 322.202, Florida Statutes, is amended
96 to read:

97 322.202 Admission of evidence obtained from the Division of
98 Motorist Services ~~Driver Licenses and the Division of Motor~~
99 ~~Vehicles.~~—

100 (1) The Legislature finds that the Division of Motorist



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101 ~~Services Driver Licenses and the Division of Motor Vehicles~~ of
102 the Department of Highway Safety and Motor Vehicles is ~~are~~ not a
103 law enforcement agency ~~agencies~~. The Legislature also finds that
104 the division is ~~divisions are~~ not an adjunct ~~adjuncts~~ of any law
105 enforcement agency in that employees have no stake in particular
106 prosecutions. The Legislature further finds that errors in
107 records maintained by the Division of Motorist Services
108 ~~divisions~~ are not within the collective knowledge of any law
109 enforcement agency. The Legislature also finds that the mission
110 ~~missions~~ of the Division of Motorist Services ~~Driver Licenses,~~
111 ~~the Division of Motor Vehicles,~~ and the Department of Highway
112 Safety and Motor Vehicles provides ~~provide~~ a sufficient
113 incentive to maintain records in a current and correct fashion.

114 (2) The Legislature finds that the purpose of the
115 exclusionary rule is to deter misconduct on the part of law
116 enforcement officers and law enforcement agencies.

117 (3) The Legislature finds that the application of the
118 exclusionary rule to cases where a law enforcement officer
119 effects an arrest based on objectively reasonable reliance on
120 information obtained from the division ~~divisions~~ is repugnant to
121 the purposes of the exclusionary rule and contrary to the
122 decisions of the United States Supreme Court in *Arizona v.*
123 *Evans*, 514 U.S. 1 (1995) and *United States v. Leon*, 468 U.S. 897
124 (1984).

125 (4) In any case where a law enforcement officer effects an
126 arrest based on objectively reasonable reliance on information
127 obtained from the division ~~divisions~~, evidence found pursuant to
128 such an arrest shall not be suppressed by application of the
129 exclusionary rule on the grounds that the arrest is subsequently



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130 determined to be unlawful due to erroneous information obtained
131 from the divisions.

132 Section 16. Paragraph (i) is added to subsection (1) of
133 section 322.21, Florida Statutes, and subsections (2) and (4) of
134 that section are amended, to read:

135 322.21 License fees; procedure for handling and collecting
136 fees.-

137 (1) Except as otherwise provided herein, the fee for:

138 (i) The specialty license or identification card issued
139 pursuant to s. 322.1415 is \$25, which is in addition to other
140 fees required in this section. The specialty fee shall be
141 distributed as follows:

142 1. Fifty percent shall be distributed as provided in
143 section 320.08058 to the appropriate state or independent
144 university, the professional sports team, or branches of the
145 military.

146 2. Fifty percent shall be distributed to the department for
147 department costs directly related to the specialty driver's
148 license and identification card program and to defray costs of
149 production enhancements and distribution.

150 (2) It is the duty of the director of the Division of
151 Motorist Services to provide ~~Driver Licenses to set up a~~
152 ~~division in the department with the necessary personnel to~~
153 perform the ~~necessary~~ clerical and routine work for the
154 department in issuing and recording applications, licenses, and
155 certificates of eligibility, including the receiving and
156 accounting of all license funds and their payment into the State
157 Treasury, and other incidental clerical work connected with the
158 administration of this chapter. The department may use such



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159 electronic, mechanical, or other devices as necessary to
160 accomplish the purposes of this chapter.

161 (4) If the department determines from its records or is
162 otherwise satisfied that the holder of a license about to expire
163 is entitled to have it renewed, the department shall mail a
164 renewal notice to the licensee at his or her last known address,
165 at least within 30 days before the licensee's birthday. The
166 licensee may ~~shall~~ be issued a renewal license, after
167 reexamination, if required, ~~during the 30 days immediately~~
168 ~~preceding his or her birthday upon presenting a renewal notice,~~
169 ~~his or her current license, and the fee for renewal to the~~
170 ~~department at any driver's license examining office.~~ A driver
171 may renew his or her driver's license up to 18 months prior to
172 the license expiration date.

173
174 ===== T I T L E A M E N D M E N T =====

175 And the title is amended as follows:

176 Delete line 3689

177 and insert:

178 providing a grace period; creating s. 322.1415, F.S.;

179 authorizing the Department of Highway Safety and Motor

180 Vehicles to issue a specialty driver's license or

181 identification card to qualified applicants;

182 specifying that, at a minimum, the specialty driver's

183 licenses and identification cards must be available

184 for certain state and independent universities and

185 professional sports teams and all of the branches of

186 the United States military; requiring that the design

187 of each specialty driver's license and identification



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188 card be approved by the department; providing for
189 future repeal; amending s. 322.19, F.S.; providing
190 that certain persons with a valid student
191 identification card are presumed not to have changed
192 their legal residence or mailing address; amending s.
193 322.20, F.S., relating to department records;
194 conforming provisions to changes made by the act;
195 amending s. 322.202, F.S.; clarifying that the
196 Division of Motorist Services is not a law enforcement
197 agency; amending s. 322.21, F.S., relating to handling
198 and collecting license fees; providing for the
199 distribution of funds collected from the specialty
200 driver's license and identification card fees;
201 conforming provisions to changes made by the act;
202 authorizing a driver to renew his or her driver's
203 license during a specified period before the license
204 expiration date; amending s. 331.303, F.S.;