

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/CS/HB 179 Veteran Identification

SPONSOR(S): Transportation & Tourism Appropriations Subcommittee, Local, Federal & Veterans Affairs Subcommittee; Combee & others

TIED BILLS: **IDEN./SIM. BILLS:** CS/SB 444

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Local, Federal & Veterans Affairs Subcommittee	15 Y, 0 N, As CS	Renner	Miller
2) Transportation & Tourism Appropriations Subcommittee	10 Y, 0 N, As CS	Cobb	Davis
3) Government Accountability Committee			

SUMMARY ANALYSIS

For the roughly 1.5 million veterans living in Florida, there is no uniform veteran identification card that can be used as proof of veteran status for the purpose of obtaining discounts or waivers from various license and registration fees. Rather, veterans rely on a number of Department of Defense (DoD) or U.S. Veterans Affairs (VA) issued cards as proof. In Florida, a driver license or identification card with the "V" designation issued by the Department of Highway Safety and Motor Vehicles (DHSMV) or a Florida Department of Veterans' Affairs (DVA) card for veterans with certain disabilities may be used as proof of veteran status.

Currently, the Department of Agriculture and Consumer Services (DACS) and the Department of Financial Services (DFS) will waive various license and registration fees for the following businesses and professions if a veteran provides a copy of the DD Form 214 or another acceptable form of identification as specified by DVA:

- Land surveying and mapping;
- Private investigation, security, and repossession services;
- Health studios;
- Telephone salespersons;
- Movers and moving brokers;
- The sale of liquefied petroleum gas;
- Pawnbrokers;
- Motor vehicle repair shops;
- Sellers of travel;
- Insurance representatives; and
- The carrying of concealed weapons or firearms.

The bill directs DHSMV, in cooperation with the Department of Veterans' Affairs, to create a veteran identification card to be used as proof of veteran status for the purpose of obtaining discounts. The card must be issued by mail to any honorably discharged veteran of any branch of the U.S. Armed Forces and who provides the following:

- A copy of the veteran's DD Form 214;
- A copy of a valid, unexpired driver license or identification card; and
- Payment of \$10, which shall be deposited into the Highway Safety Operating Trust Fund.

Additionally, the bill adds the identification card as proof of veteran status in order for a veteran to obtain a waiver for license and registration fees for the above businesses and professions.

According to DHSMV, the bill will have an indeterminate, though likely insignificant negative fiscal impact to state expenditures, and an indeterminate, positive impact to state and local government revenues. See Fiscal Comments.

The bill has an effective date of January 1, 2018.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: h0179c.TTA

DATE: 4/4/2017

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Current Situation

Proof of Veteran status

Federal level

Many veterans want a veteran identification card proving their military service so they can receive discounts, fee waivers, or other benefits. However, there is no uniform veteran identification card that is available to all veterans.

The “Veterans Identification Card Act 2015,”¹ was enacted by Congress on July 20, 2015. The Act directs the VA to issue a veteran’s identification card to a requesting veteran who is neither entitled to military retired pay nor enrolled in the VA system of patient enrollment. The card is required to display the veteran’s name and photograph and serve as proof that the veteran has a DD Form 214² or other official document in his or her military personnel file that describes the veteran’s military service.³ The identification card cannot be used as proof of eligibility for any federal benefits and does not grant access to military installations. It is estimated that the cards will be implemented in 2017 at the earliest, and the price for the identification card is not yet determined.

Until the card becomes available, there are a few types of federal identification cards a veteran can use as proof of veteran status depending on factors such as status, disability, and health benefits. These cards include, but are not limited to, the following:

- **Veterans Identification Card**⁴ – Veterans can use this card at VA medical facilities. The card, issued by the VA, is free and is issued only to veterans who are eligible for VA medical benefits and only for the purpose of identification and check-in for VA medical appointments. The design of the card includes a picture of the veteran, their member ID, Plan ID, branch of service, and Service Connected, POW and Purple Heart indicators, if applicable. The card does not show a veteran’s Social Security Number or date of birth.
- **DD Form 2 (Retired) U.S. Uniformed Services ID**⁵ – This card is issued to retired Uniform Service⁶ members entitled to pay, members on the temporary disability retired list, and members on the permanent disability retired list.
- **DD Form 1173 U.S. Uniformed Services ID and Privilege Card**⁷ – This card is issued to Medal of Honor recipients, former members in receipt of retired pay, 100 percent disabled veterans, and other benefits-eligible categories as described in DoD policy.

¹ Veterans Identification Card Act 2015, Pub. L. No. 114-31, H.R. 91, 114th Cong. (July 20, 2015).

² Each veteran is issued a Department of Defense DD Form 214. This form contains information normally needed to verify military service of benefits, retirement, employment, membership in veterans’ organizations, and the veteran’s condition of discharge. See <http://www.dd214.us/> (last visited January 30, 2017).

³ Congress.gov, *H.R. 91-Veterans Identification Card Act 2015*, available at: <https://www.congress.gov/bill/114th-congress/house-bill/91> (last viewed January 27, 2017).

⁴ U.S. Department of Veterans Affairs site on *Veteran Identification Cards*, available at: https://iris.custhelp.com/app/answers/detail/a_id/911 (last viewed January 27, 2017).

⁵ Department of Defense Common Access Card site on *Uniformed Services ID Card*, available at: www.cac.mil/uniformed-services-id-card/ (last viewed January 29, 2017).

⁶ 10 U.S.C. §101(a)(5) defines the uniformed services as consisting of the Army, Marines, Navy, Air Force, Coast Guard, Public Health Service, and the National Oceanic and Atmospheric Administration.

⁷ Id.

- **DD Form 2765 Department of Defense/Uniformed Services ID and Privilege Card**⁸ – This card is issued to Medal of Honor recipients, 100 percent disabled veterans, former members in receipt of retired pay, other benefits-eligible categories as described in DoD policy.

The design of the Uniformed Services ID cards includes a picture, branch affiliation, expiration date, DoD Identification Number, date of birth, benefits number, blood type, Geneva Convention category, and date of issue.

Florida

Much like the federal government, Florida does not have a uniform veteran identification card. Rather, veterans can show proof of status by having a “V” designation on either their Florida identification card⁹ or their Florida driver license¹⁰ for an additional \$1 fee plus the renewal fee, or a \$2 fee if the veteran wants to purchase a replacement credential for the sole purpose of adding the “V” designation. The designation can be obtained when a veteran submits a copy of his or her DD Form 214 or another acceptable form specified by the DVA to the DHSMV.¹¹

Additionally, DVA may issue an identification card to any veteran who is a permanent resident of Florida and who has been determined by the VA to have a 100 percent service-connected permanent and total disability rating, or who has been determined to have a service-connected total and permanent disability rating of 100 percent and is receiving disability retirement pay from any branch of the U.S. Armed Forces.¹²

Virginia

Virginia is the only state that currently offers a veteran identification card.¹³ The card is issued by the Virginia Department of Motor Vehicles (DMV) and provides proof of veteran status in order for a veteran to receive discounts from retailers and restaurants. The design of the card shows the veteran’s photo, name, branch of service, and signature. To be eligible, the veteran must:

- Be a Virginia resident;
- Hold an unexpired Virginia commercial driver’s license, driver’s license, learner’s permit or DMV-issued ID card;
- Have served either in the active U.S. Armed Forces or for more than 180 days in the Virginia National Guard or U.S. Reserves;
- Have received an honorable discharge;
- Present a photocopy of a veteran service proof document that provides the branch of service, discharge date and discharge status (e.g. DD Form 214);
- Consent that the information on the application will be shared with the Virginia Department of Veteran Services; and,
- Pay \$10.

⁸ Id.

⁹ Section 322.051, F.S.

¹⁰ Section 322.14(1)(d), F.S.

¹¹ A “veteran” designation will replace the “V” designation when the new driver license and identification card design comes out at the end of 2017.

¹² Section 295.17, F.S.

¹³ Virginia Department of Motor Vehicles website on *Veteran Identification Cards*, available at

https://www.dmv.virginia.gov/drivers/#id/vet_id.asp (last visited January 31, 2017).

Registration and License Fee Waivers

Department of Agriculture and Consumer Services (DACS)

Chapter 2016-166, Laws of Florida, among other matters, implemented various registration and license fee waivers for veterans, their spouses, and their businesses for several professions regulated by DACS.

The first-time application fee for a specified veteran of the U.S. Armed Forces, his or her spouse, or a business entity in which he or she has a majority ownership is waived for the following classes of licenses:

- Land surveyor and mapper;¹⁴
- Health studio;¹⁵
- Commercial Telephone seller;¹⁶
- Telemarketing salesperson;¹⁷
- Movers and moving broker;¹⁸
- Liquefied petroleum gas related license;¹⁹
- Pawnbroker;²⁰
- Motor vehicle repair shop; and,²¹
- Sellers of travel.²²

To qualify for the above fee waiver, the veteran, his or her spouse, or his or her business must submit an application within 60 months after the date of the veteran's discharge from the U.S. Armed Forces and provide a copy of his or her DD Form 214, or another form of identification as specified by the DVA; a valid marriage license when applicable; and proof of ownership interest, where applicable.

The initial application fee for licensure, for veterans who apply within 24 months of their honorable discharge from the armed forces, is waived for the following licenses:²³

- Private investigator, private investigator intern, private investigative/security agency manager, or private investigative agency manager;
- Security officer instructor, or security manager;
- Recovery agent, recovery agent intern, recovery agent manager, or recovery agent instructor; and,
- Firearms instructor.

The veteran must submit a copy of his or her DD Form 214 or another form of identification as specified by the DVA in order to receive the waiver.

The initial fee for licensure, for veterans who apply within 24 months of their honorable discharge from the armed forces, is waived for the following licenses:

- Private investigative/security agency manager or a firearms instructor;²⁴

¹⁴ Section 472.015(3), F.S.

¹⁵ Section 501.015(2), F.S.

¹⁶ Section 501.605(5)(b)

¹⁷ Section 501.607(2)(b), F.S.

¹⁸ Section 507.03(3)(b), F.S.

¹⁹ Section 527.02(3)(b), F.S.

²⁰ Section 539.001(3)(c), F.S.

²¹ Section 559.904(3)(b), F.S.

²² Section 559.928(2)(c), F.S.

²³ Section 493.6105(1)(c), F.S.

- Private investigator, private investigator intern, or private investigative agency manager;²⁵
- Security officer, security officer instructor, or a security manager;²⁶ and
- Recovery agent, recovery agent intern, recovery agent manager, or recovery agent instructor.²⁷

The veteran must submit a copy of his or her DD Form 214 or another form of identification as specified by the DVA in order to receive the waiver.

Lastly, in order to receive an expedited processing of an application for a license to carry concealed weapons or firearms, a veteran must submit a copy of the DD Form 214, or another acceptable form of identification as specified by DVA.²⁸

Department of Financial Services (DFS)

Veterans who have retired within 24 months are exempt from the application filing fee for licensure as an insurance agent, customer representative, adjuster, service representative, managing general agent, or reinsurance intermediary. The applicant must submit a military service record, military personnel file, veteran record, discharge paper, or separation document, or a separation document that indicates the veteran was honorably discharged.²⁹

Effect of Proposed Changes

The bill requires DHSMV, in cooperation with the Department of Veterans' Affairs, to create a veteran identification card to be used as proof of veteran status in order to obtain discounts or waivers offered to veterans for the exchange of goods and services. The card would be separate from a DHSMV-issued driver license or personal identification card. The bill provides criteria for the design of the card which includes:

- A full-face photograph of the veteran;
- The veteran's full name;
- Branch of service;
- Date of discharge; and,
- The words "Proof of veteran status only."

The DHSMV must issue the card by mail to any honorably discharged veteran of any branch of the U.S. Armed Forces who provides the following:

- A copy of the veteran's DD Form 214 as issued by the DoD;
- A copy of the veteran's valid, unexpired Florida driver license or identification card or another form of photographic identification that is acceptable to the DHSMV; and
- Payment of a \$10 fee, which shall be deposited into the Highway Safety Operating Trust Fund.

The bill prohibits the use of the veteran identification card as an identification card for a veteran with a 100 percent, service-connected permanent and total disability rating for compensation, or who has a service-connected total and permanent disability rating of 100 percent and receives disability retirement pay pursuant to s. 295.17, F.S., or as an identification card pursuant to s. 322.051, F.S. The bill states that a veteran identification card shall be terminated upon the death of the veteran. The bill also provides a repeal date of August 31, 2022.

²⁴ Section 493.6107(6), F.S.

²⁵ Section 493.6202(4), F.S.

²⁶ Section 493.6302(4), F.S.

²⁷ Section 493.6402(4), F.S.

²⁸ Section 790.06(5)(f), F.S.

²⁹ Section 626.171(6), F.S.

In addition to showing a DD Form 214 or another acceptable form of identification specified by DVA as proof of veteran status, the bill adds the veteran identification card to be used as proof of veteran status in order to receive waivers of registration or license fees for the following DACS and DFS businesses and occupations:

- Land surveying and mapping;
- Private investigation, security, and repossession services;
- Health studios;
- Telephone salespersons;
- Movers and moving brokers;
- The sale of liquefied petroleum gas;
- Pawnbrokers;
- Motor vehicle repair shops;
- Sellers of travel; and,
- Insurance representatives.

Lastly, the veteran identification card may be used as proof of veteran status for the expedited processing of an application for a license to carry concealed weapons or firearms.

B. SECTION DIRECTORY:

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| Section 1 | Creates s. 322.0511, F.S., relating to veteran identification cards. |
| Section 2 | Amends s. 472.015, F.S., relating to DACS licensure for land surveying and mapping. |
| Section 3 | Amends s. 493.6105, F.S., relating to DACS initial application for licensure for private investigation, security, and repossession services. |
| Section 4 | Amends s. 493.6107, F.S., relating to DACS initial license fees for private investigation, security, and repossession services. |
| Section 5 | Amends s. 493.6202, F.S., relating to DACS fees for private investigation, security, and repossession services. |
| Section 6 | Amends s. 493.6302, F.S., relating to DACS fees for private investigation, security, and repossession services. |
| Section 7 | Amends s. 493.6402, F.S., relating to DACS fees for private investigation, security, and repossession services. |
| Section 8 | Amends s. 501.015, F.S., relating to DACS health studios registration requirements. |
| Section 9 | Amends s. 501.605, F.S., relating to DACS licensure of commercial telephone sellers. |
| Section 10 | Amends s. 501.607, F.S., relating to DACS licensure of salespersons. |
| Section 11 | Amends s. 507.03, F.S., relating to DACS registration for movers and moving brokers. |
| Section 12 | Amends s. 527.02, F.S., relating to DACS and the regulation of the sale of liquefied petroleum gas. |
| Section 13 | Amends s. 539.001, F.S., relating to DACS pawnbroker licenses. |
| Section 14 | Amends s. 559.904, F.S., relating to DACS registration for motor vehicle repair shops. |
| Section 15 | Amends s. 559.928, F.S., relating to DACS registration for sellers of travel. |
| Section 16 | Amends s. 626.171, F.S., relating to DFS insurance representative applications for licensure. |
| Section 17 | Amends s. 790.06, F.S., relating to DACS licenses to carry concealed weapons or firearms. |
| Section 18 | Provides an effective date of January 1, 2018. |

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

DHSMV estimates approximately 65,000 individuals will purchase the new identification card in the first year. At a rate of \$10 per transaction, the bill would have a positive fiscal impact to the Highway Safety Operating Trust Fund totaling \$650,000.³⁰

2. Expenditures:

DHSMV provided an initial estimate stating that approximately 4,560 programming hours, or \$313,440 in FTE and contracted resources, will be required to implement the bill. The impact of the committee substitute has not yet been fully assessed; however, the department states that the programming cost should be moderate to minimal. Additionally, the department will need to purchase 2 additional card printers at \$7,650 per printer, totaling \$15,300. It is expected that this cost can be absorbed within existing resources.³¹

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

DHSMV estimates approximately 65,000 individuals will purchase the new identification card in the first year. Tax collectors are permitted to collect a \$6.25 service charge on license and identification card transactions; therefore, there will likely be a positive impact to local government revenues. However, it is unknown how many of the estimated 65,000 individuals will purchase a veteran identification card at a tax collector's office as opposed to state driver license offices thus the revenue impact is indeterminate.³²

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Veterans who choose to obtain the voter identification card could receive license and registration fee waivers, resulting in a positive fiscal impact for those veterans.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None

2. Other:

None

³⁰ DHSMV email on file with staff. The information is subject to revision or correction in the final draft.

³¹ Id.

³² Id.

B. RULE-MAKING AUTHORITY:

The bill does not provide rulemaking authority or require executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On February 8, 2017, the Local, Federal & Veterans Affairs Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment removes the following personal identification information that would go on the front of the veteran identification card:

- DoD identification number
- Date of discharge
- The words “U.S. Armed Forces Veteran-Honorably Discharged”

This analysis is drafted to the committee substitute as passed by the Local, Federal & Veterans Affairs Subcommittee.

On April 4, 2017, the Transportation and Tourism Appropriations Subcommittee adopted two amendments and reported the bill favorably as a committee substitute. The amendments: include FDVA in the process of creating the veteran identification card; remove both the signature and military “dog” tag design requirements; include discharge date as a design requirement; provide that the DHSMV shall issue the cards by mail; specify that revenues shall be deposited into the Highway Safety Operating Trust Fund; provide that the identification card shall be terminated upon the death of the veteran; provide a repeal date of August 31, 2022; change the effective date to January 1, 2018. This analysis is drafted to the committee substitute as passed by the Transportation and Tourism Appropriations Subcommittee.