

1 A bill to be entitled
 2 An act relating to driver license and identification
 3 card gender designation; amending ss. 322.08 and
 4 322.051, F.S.; requiring an application for a driver
 5 license or identification card to provide for male,
 6 female, or nonbinary gender designation; amending ss.
 7 98.093, 320.05, 322.091, 322.14, and 322.17, F.S.;
 8 conforming provisions to changes made by the act;
 9 providing an effective date.

10
 11 Be It Enacted by the Legislature of the State of Florida:

12
 13 Section 1. Paragraph (a) of subsection (2) of section
 14 322.08, Florida Statutes, is amended to read:

15 322.08 Application for license; requirements for license
 16 and identification card forms.—

17 (2) Each such application shall include the following
 18 information regarding the applicant:

19 (a) 1. Full name, which must include the applicant's
 20 ~~first, middle or maiden, and last names.~~

21 2. Gender designation, which must provide for male,
 22 female, or nonbinary designation.

23 3. Proof of social security card number satisfactory to
 24 the department, which may include a military identification
 25 card.

26 | 4. County of residence.┘

27 | 5. Mailing address.┘

28 | 6. Proof of residential address satisfactory to the
29 | department.┘

30 | 7. Country of birth.┘~~and~~

31 | 8. A brief description.

32 | Section 2. Paragraph (a) of subsection (1) of section
33 | 322.051, Florida Statutes, is amended to read:

34 | 322.051 Identification cards.—

35 | (1) Any person who is 5 years of age or older, or any
36 | person who has a disability, regardless of age, who applies for
37 | a disabled parking permit under s. 320.0848, may be issued an
38 | identification card by the department upon completion of an
39 | application and payment of an application fee.

40 | (a) The application must include the following information
41 | regarding the applicant:

42 | 1.a. Full name, which must include the applicant's ~~(first,~~
43 | ~~middle or maiden, and last~~ names.)~~┘~~

44 | b. Gender designation, which must provide for male,
45 | female, or nonbinary designation.

46 | c. Proof of social security card number satisfactory to
47 | the department, which may include a military identification
48 | card.┘

49 | d. County of residence.┘

50 | e. Mailing address.┘

- 51 f. Proof of residential address satisfactory to the
 52 department.7
- 53 g. Country of birth.7~~and~~
- 54 h. A brief description.
- 55 2. Proof of birth date satisfactory to the department.
- 56 3. Proof of identity satisfactory to the department. Such
 57 proof must include one of the following documents issued to the
 58 applicant:
- 59 a. A driver license record or identification card record
 60 from another jurisdiction that required the applicant to submit
 61 a document for identification which is substantially similar to
 62 a document required under sub-subparagraph b., sub-subparagraph
 63 c., sub-subparagraph d., sub-subparagraph e., sub-subparagraph
 64 f., sub-subparagraph g., or sub-subparagraph h.;
- 65 b. A certified copy of a United States birth certificate;
- 66 c. A valid, unexpired United States passport;
- 67 d. A naturalization certificate issued by the United
 68 States Department of Homeland Security;
- 69 e. A valid, unexpired alien registration receipt card
 70 (green card);
- 71 f. A Consular Report of Birth Abroad provided by the
 72 United States Department of State;
- 73 g. An unexpired employment authorization card issued by
 74 the United States Department of Homeland Security; or
- 75 h. Proof of nonimmigrant classification provided by the

76 United States Department of Homeland Security, for an original
77 identification card. In order to prove nonimmigrant
78 classification, an applicant must provide at least one of the
79 following documents. In addition, the department may require
80 applicants to produce United States Department of Homeland
81 Security documents for the sole purpose of establishing the
82 maintenance of, or efforts to maintain, continuous lawful
83 presence:

84 (I) A notice of hearing from an immigration court
85 scheduling a hearing on any proceeding.

86 (II) A notice from the Board of Immigration Appeals
87 acknowledging pendency of an appeal.

88 (III) A notice of the approval of an application for
89 adjustment of status issued by the United States Citizenship and
90 Immigration Services.

91 (IV) An official documentation confirming the filing of a
92 petition for asylum or refugee status or any other relief issued
93 by the United States Citizenship and Immigration Services.

94 (V) A notice of action transferring any pending matter
95 from another jurisdiction to Florida, issued by the United
96 States Citizenship and Immigration Services.

97 (VI) An order of an immigration judge or immigration
98 officer granting relief that authorizes the alien to live and
99 work in the United States, including, but not limited to,
100 asylum.

101 (VII) Evidence that an application is pending for
 102 adjustment of status to that of an alien lawfully admitted for
 103 permanent residence in the United States or conditional
 104 permanent resident status in the United States, if a visa number
 105 is available having a current priority date for processing by
 106 the United States Citizenship and Immigration Services.

107 (VIII) On or after January 1, 2010, an unexpired foreign
 108 passport with an unexpired United States Visa affixed,
 109 accompanied by an approved I-94, documenting the most recent
 110 admittance into the United States.

111
 112 An identification card issued based on documents required in
 113 sub-subparagraph g. or sub-subparagraph h. is valid for a period
 114 not to exceed the expiration date of the document presented or 1
 115 year, whichever occurs first.

116 Section 3. Paragraph (g) of subsection (2) of section
 117 98.093, Florida Statutes, is amended to read:

118 98.093 Duty of officials to furnish information relating
 119 to deceased persons, persons adjudicated mentally incapacitated,
 120 and persons convicted of a felony.—

121 (2) To the maximum extent feasible, state and local
 122 government agencies shall facilitate provision of information
 123 and access to data to the department, including, but not limited
 124 to, databases that contain reliable criminal records and records
 125 of deceased persons. State and local government agencies that

126 provide such data shall do so without charge if the direct cost
127 incurred by those agencies is not significant.

128 (g) The Department of Highway Safety and Motor Vehicles
129 shall furnish monthly to the department a list of those persons
130 whose names have been removed from the driver license database
131 because they have been licensed in another state. The list shall
132 contain the name, address, date of birth, gender designation
133 ~~sex~~, social security number, and driver license number of each
134 such person.

135 Section 4. Paragraph (b) of subsection (3) of section
136 320.05, Florida Statutes, is amended to read:

137 320.05 Records of the department; inspection procedure;
138 lists and searches; fees.—

139 (3)

140 (b) Fees therefor shall be charged and collected as
141 follows:

142 1. For providing lists of motor vehicle or vessel records
143 for the entire state, or any part or parts thereof, divided
144 according to counties, a sum computed at a rate of not less than
145 1 cent nor more than 5 cents per item.

146 2. For providing noncertified photographic copies of motor
147 vehicle or vessel documents, \$1 per page.

148 3. For providing noncertified photographic copies of
149 micrographic records, \$1 per page.

150 4. For providing certified copies of motor vehicle or

151 vessel records, \$3 per record.

152 5. For providing noncertified computer-generated printouts
153 of motor vehicle or vessel records, 50 cents per record.

154 6. For providing certified computer-generated printouts of
155 motor vehicle or vessel records, \$3 per record.

156 7. For providing electronic access to motor vehicle,
157 vessel, and mobile home registration data requested by tag,
158 vehicle identification number, title number, or decal number, 50
159 cents per item.

160 8. For providing electronic access to driver license
161 status report by name, gender designation ~~sex~~, and date of birth
162 or by driver license number, 50 cents per item.

163 9. For providing lists of licensed mobile home dealers and
164 manufacturers and recreational vehicle dealers and
165 manufacturers, \$15 per list.

166 10. For providing lists of licensed motor vehicle dealers,
167 \$25 per list.

168 11. For each copy of a videotape record, \$15 per tape.

169 12. For each copy of the Division of Motorist Services
170 Procedures Manual, \$25.

171 Section 5. Subsection (5) of section 322.091, Florida
172 Statutes, is amended to read:

173 322.091 Attendance requirements.—

174 (5) REPORTING AND ACCOUNTABILITY.—The department shall
175 report quarterly to each school district the legal name, gender

176 | designation ~~sex~~, date of birth, and social security number of
 177 | each student whose driving privileges have been suspended under
 178 | this section.

179 | Section 6. Paragraph (a) of subsection (1) of section
 180 | 322.14, Florida Statutes, is amended to read:

181 | 322.14 Licenses issued to drivers.—

182 | (1)(a) The department shall, upon successful completion of
 183 | all required examinations and payment of the required fee, issue
 184 | to every qualified applicant a driver license that must bear a
 185 | color photograph or digital image of the licensee; the name of
 186 | the state; a distinguishing number assigned to the licensee; and
 187 | the licensee's full name, date of birth, and residence address;
 188 | a brief description of the licensee, including, but not limited
 189 | to, the licensee's gender designation and height; and the dates
 190 | of issuance and expiration of the license. A space shall be
 191 | provided upon which the licensee shall affix his or her usual
 192 | signature. A license is invalid until it has been signed by the
 193 | licensee except that the signature of the licensee is not
 194 | required if it appears thereon in facsimile or if the licensee
 195 | is not present within the state at the time of issuance.

196 | Section 7. Paragraphs (a) and (b) of subsection (1) of
 197 | section 322.17, Florida Statutes, are amended to read:

198 | 322.17 Replacement licenses and permits.—

199 | (1)(a) In the event that an instruction permit or driver
 200 | license issued under ~~the provisions of~~ this chapter is lost or

201 destroyed, the person to whom the permit or license ~~same~~ was
202 issued may, upon payment of the appropriate fee pursuant to s.
203 322.21, obtain a replacement upon furnishing proof satisfactory
204 to the department that such permit or license has been lost or
205 destroyed, and further furnishing the full name, date of birth,
206 gender designation ~~sex~~, residence and mailing address, proof of
207 birth satisfactory to the department, and proof of identity
208 satisfactory to the department.

209 (b) In the event that an instruction permit or driver
210 license issued under ~~the provisions of~~ this chapter is stolen,
211 the person to whom the permit or license ~~same~~ was issued may, at
212 no charge, obtain a replacement upon furnishing proof
213 satisfactory to the department that such permit or license was
214 stolen and further furnishing the full name, date of birth,
215 gender designation ~~sex~~, residence and mailing address, proof of
216 birth satisfactory to the department, and proof of identity
217 satisfactory to the department.

218 Section 8. This act shall take effect July 1, 2021.