

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.)

Prepared By: The Professional Staff of the Committee on Transportation

BILL: SB 144

INTRODUCER: Senator Hutson

SUBJECT: Identification Cards

DATE: January 18, 2022

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Proctor	Vickers	TR	Favorable
2.			AP	

I. Summary:

SB 144 provides that the Department of Highway and Motor Vehicles (DHSMV) must issue, replace, or renew an identification card at no charge to:

- A person who presents a valid Florida voter's registration card to the DHSMV and attests that he or she is experiencing a financial hardship; or
- A person who is 80 years of age or older and whose driving privilege is denied due to failure to pass a vision test.

The bill further provides that the DHSMV may not require a person to present evidence of a financial hardship.

The bill may have an indeterminate fiscal impact. See Section V. Fiscal Impact Statement.

The bill provides an effective date of July 1, 2022.

II. Present Situation:

Identification Card

An identification card typically is a card which contains an applicant's full name, address, age, color of hair and eyes, and often containing a photograph, which is used as identification.

In Florida any person who is five years of age or older, or any person who has a disability, may be issued an identification card by the DHSMV upon completion of an application and payment of an application fee. The application must include the following information regarding the applicant:

- Full name, gender, proof of social security card number satisfactory to the DHSMV, which may include a military identification card, county of residence, mailing address, proof of residential address satisfactory to the DHSMV, country of birth, and a brief description;

- Proof of birth date satisfactory to the DHSMV; and
- Proof of identity satisfactory to the DHSMV.¹

However, the DHSMV may not issue a driver license or identification card to an applicant if the applicant holds a valid driver license or identification card issued by any state.²

An original, renewal, or replacement identification card issued is \$25, except that an applicant is exempt from such fee if they present evidence satisfactory to the DHSMV that:

- They are homeless as defined in s. 414.0252(7), F.S.;
- Their annual income is at or below 100 percent of the federal poverty level;
- They are a certified unaccompanied homeless youth;
- They are an inmate; or
- They are a juvenile offender who is in the custody or under the supervision of the Department of Juvenile Justice, is receiving services pursuant to s. 985.461, F.S., and whose identification card is issued by the DHSMV's mobile issuing units.³

Funds collected from fees for original, renewal, or replacement identification cards must be distributed as follows:

- For an original identification card issued, the fee must be deposited into the General Revenue Fund;
- For a renewal identification card issued, \$6 must be deposited into the Highway Safety Operating Trust Fund, and \$19 must be deposited into the General Revenue Fund; and
- For a replacement identification card issued, \$9 must be deposited into the Highway Safety Operating Trust Fund, and \$16 must be deposited into the General Revenue Fund. Beginning July 1, 2015, or upon completion of the transition of the driver license issuance services, if the replacement identification card is issued by the tax collector, the tax collector must retain the \$9 that would otherwise be deposited into the Highway Safety Operating Trust Fund and the remaining revenues must be deposited into the General Revenue Fund.⁴

Every identification card issued to a person 5 years of age to 14 years of age will expire, unless canceled earlier, on the fourth birthday of the applicant following the date of original issue, and for a person 15 years of age and older will expire, unless canceled earlier, on the eighth birthday of the applicant following the date of original issue.⁵

Voter Registration Card

A person may become a registered voter in the State of Florida only if that person:

- Is at least 18 years of age;
- Is a citizen of the United States;
- Is a legal resident of the State of Florida;
- Is a legal resident of the county in which that person seeks to be registered; and

¹ Section 322.051(1), F.S.

² Section 322.08(7), F.S.

³ Sections 322.21(1)(f), 322.051(9), and 743.067, F.S.

⁴ Section 322.21(1)(f), F.S.

⁵ Section 322.051(2)(a), F.S.

- Registers pursuant to the Florida Election Code.⁶

A person who is otherwise qualified may preregister on or after their 16th birthday and may vote in any election occurring on or after their 18th birthday.⁷ However, a person who has been adjudicated mentally incapacitated with respect to voting and a person who has been convicted of any felony by any court of record, are not entitled to register or vote, unless they have had their right to vote restored pursuant to law.⁸

Voter registration applications, changes in registration, and requests for a replacement voter information card must be accepted in the office of any supervisor of elections, the Division of Elections of the Department of State, a driver license office, a voter registration agency, or an armed forces recruitment office when hand delivered by the applicant or a third party during the hours that office is open or when mailed.⁹

A voter registration application is complete if it contains the following information necessary to establish the applicant's eligibility, including:

- The applicant's name.
- The applicant's address of legal residence, including a distinguishing apartment, suite, lot, room, or dormitory room number or other identifier, if appropriate. Failure to include a distinguishing apartment, suite, lot, room, or dormitory room or other identifier on a voter registration application does not impact a voter's eligibility to register to vote or cast a ballot, and such an omission may not serve as the basis for a challenge to a voter's eligibility or reason to not count a ballot.
- The applicant's date of birth.
- A mark in the checkbox affirming that the applicant is a citizen of the United States.
- The applicant's current and valid Florida driver license number or the identification number from a Florida identification card issued under s. 322.051, F.S., or
 - If the applicant has not been issued a current and valid Florida driver license or a Florida identification card, the last four digits of the applicant's social security number.
 - In case an applicant has not been issued a current and valid Florida driver license, Florida identification card, or social security number, the applicant shall affirm this fact in the manner prescribed in the uniform statewide voter registration application.
- A mark in the checkbox affirming that the applicant has not been convicted of a felony or that, if convicted, has had his or her voting rights restored.
- A mark in the checkbox affirming that the applicant has not been adjudicated mentally incapacitated with respect to voting or that, if so adjudicated, has had his or her right to vote restored.
- The original signature or a digital signature transmitted by the DHSMV of the applicant swearing or affirming under the penalty for false swearing pursuant to s. 104.011, F.S., that the information contained in the registration application is true and subscribing to the oath required by s. 3, Art. VI of the State Constitution and s. 97.051, F.S.¹⁰

⁶ Section 97.041(1)(a), F.S.

⁷ Section 97.041(1)(b), F.S.

⁸ Section 97.041(2), F.S.

⁹ Section 97.053, F.S.

¹⁰ Section 97.053(5), F.S.

A voter registration application, including an application with a change in name, address, or party affiliation, may be accepted as valid only after the Department of State has verified the authenticity or nonexistence of the driver license number, the Florida identification card number, or the last four digits of the social security number provided by the applicant.¹¹

Driver License Examinations/Vision Test

A renewal driver license may be issued after the applicant licensee has been determined to be eligible by the DHSMV. A licensee who is otherwise eligible for renewal and who is at least 80 years of age must submit to and pass a vision test administered at any driver license office, or if the licensee applies for a renewal using a convenience service, they must submit to a vision test administered by a licensed physician, licensed optometrist, or a licensed physician at a federally established veterans' hospital, and must send the results of that test to the DHSMV on a form obtained from the DHSMV and signed by the health care practitioner, and must meet vision standards that are equivalent to the standards for passing the DHSMV vision test. The physician or optometrist may submit the results of a vision test by a DHSMV approved electronic means.¹²

A licensee who is at least 80 years of age may not submit an application for renewal by a convenience service unless the results of a vision test have been electronically submitted in advance by the physician or optometrist.¹³

III. Effect of Proposed Changes:

The bill amends ss. 322.051, 322.18, and 322.21, F.S., to provide that the DHSMV must issue, replace, or renew an identification card at no charge to:

- A person who presents a valid Florida voter's registration card to the DHSMV and attests that he or she is experiencing a financial hardship; or
- A person who is 80 years of age or older and whose driving privilege is denied due to failure to pass a vision test.

The bill further provides that the DHSMV may not require a person to present evidence of a financial hardship.

The bill provides an effective date of July 1, 2022.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

¹¹ Section 97.053(6), F.S.

¹² Section 322.18(5), F.S.

¹³ *Ibid.*

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None identified.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Individuals who qualify under one of the new exemptions, may be able to request the DHSMV issue, replace, or renew an identification card at no charge.

C. Government Sector Impact:

There may be an indeterminate negative fiscal impact to the Highway Safety Operating Trust Fund, the General Revenue Fund, and Tax Collectors due to the new fee exemptions.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 322.051, 322.18, and 322.21

IX. Additional Information:

- A. **Committee Substitute – Statement of Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

None.

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