

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 27 Issuance of Driver Licenses & Identification Cards

SPONSOR(S): Gaetz and others

TIED BILLS: **IDEN./SIM. BILLS:** SB 240

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Highway & Waterway Safety Subcommittee	12 Y, 0 N, As CS	Whittaker	Smith
2) Veteran & Military Affairs Subcommittee	10 Y, 0 N	Thompson	Kiner
3) Economic Affairs Committee		Whittaker	Creamer

SUMMARY ANALYSIS

The bill provides for the Department of Highway Safety and Motor Vehicles (DHSMV) to accept a military personnel identification card as proof of a social security card number during the application process to acquire a driver license or identification card.

The bill further authorizes DHSMV to replace the veteran designation "V" with the word "Veteran" exhibited on the driver license or identification card of a veteran who qualifies and chooses to have such designation. The replacement of the "V" with the word "Veteran" will apply upon implementation of new designs for the driver license and identification card by DHSMV.

The bill has no fiscal impact on state or local government funds.

The bill will take effect July 1, 2015.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

The REAL ID Act of 2005

The Federal REAL ID Act became effective nationwide on May 11, 2008. The REAL ID Act established minimum standards for the production and issuance of state-issued driver's licenses and identification cards. It also prohibits Federal agencies from accepting for official uses driver's licenses and identification cards from states unless the Department of Homeland Security determines that the state meets the standards. Official uses are defined as accessing Federal facilities, entering nuclear power plants, and boarding federally-regulated commercial aircraft.

The Department of Homeland Security (DHS) announced on December 20, 2013 a phased enforcement plan for the REAL ID Act, as passed by Congress that will implement the Act in a measured, fair and responsible way. Below is the phased enforcement schedule.¹

Phase	Enforcement	Full Enforcement Date
1	Restricted areas for DHS's Nebraska Avenue Complex headquarters	April 21, 2014
2	Restricted areas for all Federal facilities and nuclear power plants	July 21, 2014
3	Semi-restricted areas for most Federal facilities	January 19, 2015
3a	Facility Security Levels 1 and 2 ²	January 19, 2015
3b	Facility Security Levels 3, 4, and 5 ³	October 10, 2015
4	Boarding federally regulated commercial aircraft	No sooner than 2016

Florida began issuing REAL ID compliant credentials in January of 2010. The new credentials have a gold star in the upper right corner of the card.⁴

According to DHSMV, as of January 13, 2015, 11.5 million individuals have met the new identity standards for a Florida driver license or identification card. Florida is approaching a 70 percent compliance rate and estimates are that by mid to late 2017, numbers will be near 100 percent.⁵

Proof of Social Security Number

Current law requires an applicant for a driver license⁶ or identification card⁷ present proof of social security number satisfactory to DHSMV.

Veteran "V" Designation

¹ U.S. Department of Homeland Security, *REAL ID Enforcement in Brief*, <http://www.dhs.gov/real-id-enforcement-brief> (last viewed February 26, 2015).

² The Department of Homeland Security Federal Interagency Security Committee develops security standards and best practices for nonmilitary Federal facilities in the United States. The department's Facility Security Level Determination for Federal Facilities ranges from a Level I (lowest risk) to Level V (highest risk). This information is available at: http://www.dhs.gov/sites/default/files/publications/ISC_Risk-Management-Process_Aug_2013.pdf (last visited March 9, 2015).

³ Id.

⁴ Department of Highway Safety and Motor Vehicles, *The REAL ID Act*, <http://www.flhsmv.gov/realid/> (last visited February 26, 2015).

⁵ Email from Highway Safety and Motor Vehicles dated January 27, 2015 on file with the Highway and Waterway Safety Subcommittee.

⁶ s. 322.08(2)(a), F.S.

⁷ s. 322.051(1)(a)1., F.S.

Current law requires a blue “V” veteran designation on the bottom portion of a driver license⁸ or identification card⁹ at the request of a veteran who presents proof of military service and pays an additional \$1 fee to DHSMV.

Effect of Proposed Changes

The bill amends s. 322.051, F.S. and s. 322.08, F.S., to provide for DHSMV to accept a military personnel identification card as proof of a social security card number during the application process to acquire a driver license or identification card.

The bill further amends s. 322.14, F.S. and s. 322.051, F.S., to permit DHSMV to replace the veteran designation “V” with the word “Veteran” exhibited on the driver license or identification card of a veteran who qualifies and chooses to have such designation. The replacement of the “V” with the word “Veteran” will apply upon implementation of new designs for the driver license and identification card by DHSMV.

The bill will take effect July 1, 2015.

B. SECTION DIRECTORY:

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| Section 1 | Amends s. 322.051, F.S., providing for the Department of Highway Safety and Motor Vehicles to accept a military personnel identification card as proof of a social security card number during the application process to acquire an identification card. Permits DHSMV to replace the veteran designation “V” with the word “Veteran” exhibited on the identification card of a veteran who qualifies and chooses to have such designation. |
| Section 2 | Amends s. 322.08, F.S., providing for the Department of Highway Safety and Motor Vehicles to accept a military personnel identification card as proof of a social security card number during the application process to acquire a driver license. |
| Section 3 | Amends s. 322.14, F.S., permits DHSMV to replace the veteran designation “V” with the word “Veteran” exhibited on the driver license of a veteran who qualifies and chooses to have such designation. |
| Section 4 | Providing applicability. |
| Section 5 | Provides the bill will take effect July 1, 2015. |

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:
None.
2. Expenditures:
None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

⁸ s. 322.14(1)(c), F.S.

⁹ s. 322.051(8)(b), F.S.

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

There is no fiscal impact to state funds.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to expend funds or to take any action requiring the expenditure of funds. The bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate. The bill does not require a reduction of the percentage of state tax shared with municipalities or counties.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill neither provides rulemaking authority nor requires implementation by executive branch rulemaking.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 4, 2015, The Highway & Waterway Safety Subcommittee adopted one amendment to HB 27 and reported the bill favorably as a committee substitute. The amendment:

- Provides for the Department of Highway Safety and Motor Vehicles (DHSMV) to accept a military personnel identification card as proof of a social security card number during the application process to acquire a driver license or identification card.
- Authorizes DHSMV to replace the veteran designation "V" with the word "Veteran" exhibited on the driver license or identification card of a veteran who qualifies and chooses to have such designation. The replacement of the "V" with the word "Veteran" will apply upon implementation of new designs for the driver license and identification card by DHSMV.

This analysis is drafted to the committee substitute as reported by the Highway & Waterway Safety Subcommittee.