

Council Substitute for  
Committee Substitute for House Bill No. 1121

An act relating to driver licenses; amending s. 322.02, F.S.; providing legislative intent with regard to the delivery of driver license services; authorizing county tax collectors to serve as exclusive agents of the Department of Highway Safety and Motor Vehicles; amending s. 322.135, F.S.; providing an application process for county tax collectors to serve as exclusive agents; creating the Cost Determination and Allocation Task Force; establishing the duties and responsibilities of the task force; providing for the development of transition plans to transfer certain responsibilities to tax collectors; providing an effective date.

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

Section 1. Section 322.02, Florida Statutes, is amended to read:

322.02 Legislative intent; administration.—

(1) The Legislature finds that over the past several years the department and individual county tax collectors have entered into contracts for the delivery of full and limited driver license services where such contractual relationships best served the public interest through state administration and enforcement and local government implementation. It is the intent of the Legislature that future interests and processes for developing and expanding the department's relationship with tax collectors through contractual relationships for the delivery of driver license services be achieved through the provisions of this chapter, thereby serving best the public interest considering accountability, cost-effectiveness, efficiency, responsiveness, and high-quality service to the drivers in Florida.

~~(2)~~(1) The Department of Highway Safety and Motor Vehicles is charged with the administration and function of enforcement of the provisions of this chapter.

~~(3)~~(2) The department shall employ a director, who is charged with the duty of serving as the executive officer of the Division of Driver Licenses of the department insofar as the administration of this chapter is concerned. He or she shall be subject to the supervision and direction of the department, and his or her official actions and decisions as executive officer shall be conclusive unless the same are superseded or reversed by the department or by a court of competent jurisdiction.

~~(4)~~(3) The department shall have the authority to enter into reciprocal driver's license agreements with other jurisdictions within the United States and its territories and possessions and with foreign countries or political entities equivalent to Florida state government within a foreign country.

(5) The tax collector in and for his or her county may be designated the exclusive agent of the department to implement and administer the provisions of this chapter as provided by s. 322.135(5).

~~(6)~~(4) The department shall make and adopt rules and regulations for the orderly administration of this chapter.

Section 2. Subsections (5), (6), (7), and (8) are added to section 322.135, Florida Statutes, to read:

322.135 Driver's license agents.—

(5) The county tax collector at his or her option may apply to the department for approval by the executive director to be the exclusive agent of the department for his or her county to administer driver license services as provided and authorized in this chapter.

(a) The application by the county tax collector shall be in writing to the executive director of the department. The application must be submitted by September 1 to be effective for the state's subsequent fiscal year beginning July 1.

(b) The department shall provide a form for such application, which shall include the following information unless this information has been included in the report submitted by the Cost Determination and Allocation Task Force:

1. Locations within the county where offices and branch offices for driver license services are proposed.

2. The designation by the tax collector of the driver license functions to be performed by the tax collector in the county.

3. Any anticipated capital acquisition or construction costs.

4. A projection of equipment available or to be provided by the department.

5. All anticipated operating costs, including facilities, equipment, and personnel to administer driver license services.

(c) The department shall review applications on or before September 1 of each year. The department shall compare the costs included in the information submitted in the application with the related costs incurred by the department to accomplish the same level of services. The department shall approve or deny an application within 60 calendar days after the application is received unless the department and the applicant agree mutually to a specific alternative date.

(d) The department may provide technical assistance to an applicant upon request.

(6) Administration of driver license services by a county tax collector as the exclusive agent of the department must be revenue neutral with no

adverse state fiscal impact and with no adverse unfunded mandate to the tax collector. Toward this end, the Cost Determination and Allocation Task Force is created, to be established by July 1, 2001. The task force shall be composed of two representatives appointed by the executive director of the department, two tax collectors appointed by the president of The Florida Tax Collectors, Inc., one from a small-population county and one from a large-population county; one person appointed by the Speaker of the House of Representatives; one person appointed by the President of the Senate; and the Governor's appointee. If requested by the task force, the Auditor General must provide technical assistance. The purpose of the task force is to recommend the allocation of cost between the Department of Highway Safety and Motor Vehicles and tax collectors to administer driver license services authorized in this chapter. These recommendations must be submitted in a written report by January 1, 2002. The task force shall dissolve on January 1, 2002. The written report shall be presented to the President of the Senate, the Speaker of the House of Representatives, and the Executive Office of the Governor, and shall contain findings and determinations and related allocation recommendations dealing with costs, both construction and operating costs, of both the department and the applicable tax collectors, appropriate allocations of costs between the department and the tax collectors, and fee recommendations to assure that the fees paid for these driver license services do not result in a loss of revenue to the state in excess of costs incurred by the state.

(7) Upon approval by the department for a tax collector to provide exclusive driver license services in a county, the department and the applicable tax collector shall develop a transition plan for the orderly transfer of service responsibilities to the tax collector. This plan shall include, but is not limited to:

(a) The specifics of any possible use of any state-owned or leased facilities giving consideration to lease expiration date, cancellation provisions, and possibilities for sublease of such facilities.

(b) Consideration of staffing needs of the tax collector, either the assumption by the collector or departmental relocation of employees adversely affected.

(c) The execution of a standard agreement between the department and the tax collector for providing driver license services.

(8) The county tax collector, as the exclusive agent of the Department of Highway Safety and Motor Vehicles, shall be paid fees for driver license services.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor June 1, 2001.

Filed in Office Secretary of State June 1, 2001.