

CHAPTER 2018-129

House Bill No. 185

An act relating to redirection of fees to tax collectors; amending s. 322.12, F.S.; providing for allocation of fees from certain driver license examinations administered by tax collectors; amending s. 322.21, F.S.; providing for allocation of fees from certain driver license reinstatement services performed by tax collectors; providing an effective date.

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

Section 1. Subsection (1) of section 322.12, Florida Statutes, is amended to read:

322.12 Examination of applicants.—

(1) It is the intent of the Legislature that every applicant for an original driver license in this state be required to pass an examination pursuant to this section. However, the department may waive the knowledge, endorsement, and skills tests for an applicant who is otherwise qualified and who surrenders a valid driver license from another state or a province of Canada, or a valid driver license issued by the United States Armed Forces, if the driver applies for a Florida license of an equal or lesser classification. An Any applicant who fails to pass the initial knowledge test incurs a \$10 fee for each subsequent test, to be deposited into the Highway Safety Operating Trust Fund, except that if a subsequent test is administered by the tax collector, the tax collector shall retain such \$10 fee, less the general revenue service charge set forth in s. 215.20(1). An Any applicant who fails to pass the initial skills test incurs a \$20 fee for each subsequent test, to be deposited into the Highway Safety Operating Trust Fund, except that if a subsequent test is administered by the tax collector, the tax collector shall retain such \$20 fee, less the general revenue service charge set forth in s. 215.20(1). A person who seeks to retain a hazardous-materials endorsement, pursuant to s. 322.57(1)(e), must pass the hazardous-materials test, upon surrendering his or her commercial driver license, if the person has not taken and passed the hazardous-materials test within 2 years before applying for a commercial driver license in this state.

Section 2. Subsection (8) of section 322.21, Florida Statutes, is amended to read:

322.21 License fees; procedure for handling and collecting fees.—

(8) A Any person who applies for reinstatement following the suspension or revocation of the person's driver license must pay a service fee of \$45 following a suspension, and \$75 following a revocation, which is in addition to the fee for a license. A Any person who applies for reinstatement of a commercial driver license following the disqualification of the person's

privilege to operate a commercial motor vehicle shall pay a service fee of \$75, which is in addition to the fee for a license. The department shall collect all of these fees at the time of reinstatement. The department shall issue proper receipts for such fees and shall promptly transmit all funds received by it as follows:

(a) Of the \$45 fee received from a licensee for reinstatement following a suspension:

1. If the reinstatement is processed by the department, the department shall deposit \$15 in the General Revenue Fund and \$30 in the Highway Safety Operating Trust Fund.

2. If the reinstatement is processed by the tax collector, \$15, less the general revenue service charge set forth in s. 215.20(1), shall be retained by the tax collector, \$15 shall be deposited into the Highway Safety Operating Trust Fund, and \$15 shall be deposited into the General Revenue Fund.

(b) Of the \$75 fee received from a licensee for reinstatement following a revocation or disqualification:

1. If the reinstatement is processed by the department, the department shall deposit \$35 in the General Revenue Fund and \$40 in the Highway Safety Operating Trust Fund.

2. If the reinstatement is processed by the tax collector, \$20, less the general revenue service charge set forth in s. 215.20(1), shall be retained by the tax collector, \$20 shall be deposited into the Highway Safety Operating Trust Fund, and \$35 shall be deposited into the General Revenue Fund.

If the revocation or suspension of the driver license was for a violation of s. 316.193, or for refusal to submit to a lawful breath, blood, or urine test, an additional fee of \$130 must be charged. However, only one \$130 fee may be collected from one person convicted of violations arising out of the same incident. The department shall collect the \$130 fee and deposit the fee into the Highway Safety Operating Trust Fund at the time of reinstatement of the person's driver license, but the fee may not be collected if the suspension or revocation is overturned. If the revocation or suspension of the driver license was for a conviction for a violation of s. 817.234(8) or (9) or s. 817.505, an additional fee of \$180 is imposed for each offense. The department shall collect and deposit the additional fee into the Highway Safety Operating Trust Fund at the time of reinstatement of the person's driver license.

Section 3. This act shall take effect July 1, 2018.

Approved by the Governor March 30, 2018.

Filed in Office Secretary of State March 30, 2018.