

Bill No. HB 507, 1st Eng.

Amendment No.     

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator \*Burt moved the following amendment:

13 **Senate Amendment (with title amendment)**

14 On page 5, line 25, through  
15 page 8, line 26, delete those lines

17 and insert:

18 (2) To lend his or her driver's license to any other  
19 person or knowingly permit the use thereof by another.

20 (3) To display, or represent as his or her own, any  
21 driver's license not issued to him or her.

22 (4) To fail or refuse to surrender to the department  
23 upon its lawful demand any driver's license that ~~which~~ has  
24 been suspended, revoked, disqualified, or canceled.

25 (5) To permit any unlawful use of a driver's license  
26 issued to him or her.

27 (6) To apply for, obtain, or cause to be issued to him  
28 or her two or more photographic driver's licenses which are in  
29 different names. The issuance of such licenses shall be prima  
30 facie evidence that the licensee has violated the provisions  
31 of this section unless the issuance was in compliance with the

Bill No. HB 507, 1st Eng.

Amendment No.       

1 requirements of this chapter.

2           (7) To do any act forbidden, or fail to perform any  
3 act required, by this chapter.

4           Section 4. Section 322.212, Florida Statutes, is  
5 amended to read:

6           322.212 Unauthorized possession of, and other unlawful  
7 acts in relation to, driver's license or identification  
8 card.--

9           (1) It is unlawful for any person:

10           (a) Knowingly to have in his or her possession or to  
11 display any blank, forged, stolen, fictitious, counterfeit, or  
12 unlawfully issued driver's license or identification card or  
13 any instrument in the similitude of a driver's license or  
14 identification card described in s. 322.051 unless possession  
15 by such person has been duly authorized by the department;

16           (b) Knowingly to have in his or her possession any  
17 instrument in the similitude of a driver's license issued by  
18 the department or its duly authorized agents or those of any  
19 state or jurisdiction issuing licenses recognized in this  
20 state for the operation of a motor vehicle; or

21           (c) Knowingly to have in his or her possession any  
22 instrument in the similitude of an identification card issued  
23 by the department or its duly authorized agents or those of  
24 any state or jurisdiction issuing identification cards  
25 recognized in this state for the purpose of indicating a  
26 person's true name and age.

27  
28 The term "driver's license" includes a driver's license issued  
29 by the department or its agents or a driver's license issued  
30 by any state or jurisdiction that issues licenses recognized  
31 in this state for the operation of a motor vehicle. The term

Bill No. HB 507, 1st Eng.Amendment No.     

1 "identification card" includes any identification card issued  
2 by the department or its agents or any identification card  
3 issued by any state or jurisdiction that issues identification  
4 cards recognized in this state for the purpose of indicating a  
5 person's true name and age. This subsection does not prohibit  
6 a person from possessing or displaying another person's  
7 driver's license or identification card for a lawful purpose.

8           (2) It is unlawful for any person to barter, trade,  
9 sell, or give away any driver's license or identification card  
10 or to perpetrate a conspiracy to barter, trade, sell, or give  
11 away any such license or identification card unless such  
12 person has been duly authorized to issue the license or  
13 identification card by the department as provided in this  
14 chapter or in the adopted rules ~~and regulations~~ of the  
15 department.

16           (3) It is unlawful for any employee of the department  
17 to allow or permit the issuance of a driver's license or  
18 identification card when he or she knows that the applicant  
19 has not lawfully fulfilled the requirements of this chapter  
20 for the issuance of such license or identification card.

21           (4) It is unlawful for any person to agree to supply  
22 or to aid in supplying any person with a driver's license or  
23 identification card by any means whatsoever not in accordance  
24 with the provisions of this chapter.

25           (5)(a) It is unlawful for any person to use a false or  
26 fictitious name in any application for a driver's license or  
27 identification card or knowingly to make a false statement,  
28 knowingly conceal a material fact, or otherwise commit a fraud  
29 in any such application.

30           (b) It is unlawful for any person to have in his or  
31 her possession a driver's license or identification card, or

Bill No. HB 507, 1st Eng.

Amendment No.       

1 any instrument in the similitude of a driver's license or  
2 identification card, upon which the date of birth has been  
3 altered.

4           (6) Any person who violates any of the provisions of  
5 this section ~~act~~ is guilty of a felony of the third degree,  
6 punishable as provided in s. 775.082, s. 775.083, or s.  
7 775.084. However, any person who violates paragraph (5)(a)  
8 ~~the provisions of subsection (5)~~ by giving a false age in any  
9 application for a driver's license or identification card or  
10 who violates paragraph (5)(b) by possessing a driver's  
11 license, identification card, or any instrument in the  
12 similitude thereof, on which the date of birth has been  
13 altered is guilty of a misdemeanor of the second degree,  
14 punishable as provided in s. 775.082 or s. 775.083.

15           (7) The ~~foregoing~~ provisions of this section are in  
16  
17

18 ===== T I T L E   A M E N D M E N T =====

19 And the title is amended as follows:

20           On page 1, lines 12-30, delete those lines  
21

22 and insert:

23           license; amending s. 322.212, F.S.; providing  
24           that it is unlawful for any person knowingly to  
25           possess any instrument in the similitude of a  
26           driver's license issued by the Department of  
27           Highway Safety and Motor Vehicles or of any  
28           other state or jurisdiction that issues  
29           licenses recognized in this state for the  
30           operation of a motor vehicle, or any  
31           identification card issued by the department or

Bill No. HB 507, 1st Eng.

Amendment No.     

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of another state or jurisdiction, unless  
possession by such person has been duly  
authorized by the department; providing  
penalties;