



---

# **ECONOMIC AFFAIRS COMMITTEE**

## **MEETING PACKET**

**Thursday, March 7, 2013  
10:00 AM – 12:00 PM  
Reed Hall (102 HOB)**

**Will Weatherford  
Speaker**

**Jimmy Patronis  
Chair**



# **The Florida House of Representatives**

## **Economic Affairs Committee**

**Will Weatherford**  
Speaker

**Jimmy Patronis**  
Chair

### **Meeting Agenda** **March 7, 2013** **10:00 AM - 12:00 PM** **Reed Hall (102 HOB)**

- I. Call to Order & Opening Remarks by the Chairman**
- II. Consideration of the following proposed committee bill(s):**  
**PCB EAC 13-01 – International Driver Permits**
- III. Adjournment**



**HOUSE OF REPRESENTATIVES STAFF ANALYSIS**

**BILL #:** PCB EAC 13-01 International Driver Permits  
**SPONSOR(S):** Economic Affairs Committee  
**TIED BILLS:**           **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Economic Affairs Committee		Kiner <i>KK</i>	Creamer <i>JC</i>

**SUMMARY ANALYSIS**

The bill amends s. 322.04, F.S., to remove the requirement that nonresident out-of-country visitors carry a valid International Driving Permit (IDP) in order to drive lawfully in Florida. The bill brings s. 322.04, F.S., back to its pre-2012 regular legislative session form. As such, out-of-country visitors who are at least 16 years old will be able to drive legally as long as these visitors carry a valid driver license from their home state or country.

The bill has no fiscal impact on the state or local governments.

The bill is effective upon becoming a law and is retroactive to January 1, 2013.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### Current Situation

In general, a Florida driver license is required to drive a motor vehicle in the state.<sup>1</sup> There are, however, exemptions from this requirement. Most notably, these exemptions apply to certain nonresidents, including out-of-country visitors.<sup>2</sup> Prior to the 2012 regular legislative session, a nonresident out-of-country visitor could legally drive in the state as long as he or she was at least 16 years old and carried a valid driver license from his or her home country.

During the 2012 regular legislative session, the Florida Legislature amended s. 322.04, F.S., to require that nonresident out-of-country visitors also carry a valid International Driving Permit (IDP) in order to drive lawfully in Florida. The intent was to give law enforcement agencies an additional tool when attempting to verify the authenticity of out-of-country driver licenses, which are often in languages other than English.

To be eligible to receive an IDP, an applicant must be at least 18 years old and must hold a valid driver license issued in the applicant's home state or country; the IDP is not a replacement or substitute for a valid driver license – it is to be carried with the applicant's regular driver license. The IDP expires after one year or whenever the applicant's driver license expires, whichever occurs first. The IDP must also be issued within six months of the application date. Additionally, an IDP serves as a translation tool for visitors when abroad.

The change took effect January 1, 2013. As a consequence of the amended law, visitors from countries that currently issue driver licenses in English (most notably Canada and Great Britain) are required to obtain an IDP before driving legally in Florida. The amended law may also violate the Geneva Convention on Road Traffic (1949), an international treaty to which the United States is a signatory.<sup>3</sup>

##### Effect of Proposed Change

The bill amends s. 322.04, F.S., to remove the requirement that nonresident out-of-country visitors carry a valid International Driving Permit (IDP) in order to drive lawfully in Florida. The change will bring s. 322.04, F.S., back to its pre-2012 regular legislative session form. As such, nonresidents that are at least 16 years old, including out-of-country visitors, will be able to drive legally as long as these visitors have a valid driver license from their home country.

The bill is effective upon becoming a law and retroactive to January 1, 2013.

#### B. SECTION DIRECTORY:

- Section 1: Removes the requirement that nonresident out-of-country visitors carry an International Driving Permit in addition to a valid driver license issued in their home country in order to lawfully drive in the state;
- Section 2: Provides that the bill is effective upon becoming a law.

---

<sup>1</sup> s. 322.03, F.S.

<sup>2</sup> For example, these exemptions apply to active duty U. S. military, out-of-state residents that only commute to Florida to work, full-time college students from out-of-state, and out-of-state and out-of-country visitors on vacation. See ss. 322.031(2), F.S., and s. 322.04(1)(c), F.S.

<sup>3</sup> See the Florida Department of Highway Safety and Motor Vehicles Legal Opinion on "Requirement for International Driving Permit." Docket Number: 2013-0007611. A copy of the legal opinion is on file with the Florida House of Representatives, Economic Affairs Committee.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

This bill has no fiscal impact.

#### 2. Expenditures:

This bill has no fiscal impact.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

This bill has no fiscal impact.

#### 2. Expenditures:

This bill has no fiscal impact.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill will eliminate the requirement that nonresident out-of-country visitors purchase an International Driving Permit, which cost between \$15-\$25 depending on the issuing jurisdiction.

### D. FISCAL COMMENTS:

None.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

#### 1. Applicability of Municipality/County Mandates Provision:

None.

#### 2. Other:

None.

### B. RULE-MAKING AUTHORITY:

This bill neither requires nor impacts rulemaking authority.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

## IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

1 A bill to be entitled  
 2 An act relating to driver licensing; amending s.  
 3 322.04, F.S.; revising provisions for exemption from  
 4 obtaining a driver license issued by this state;  
 5 removing a requirement that certain nonresidents  
 6 possess an International Driving Permit; providing  
 7 that a nonresident of a certain age possessing a valid  
 8 noncommercial driver license issued outside this state  
 9 may operate a noncommercial motor vehicle in this  
 10 state; providing for retroactive application;  
 11 providing an effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

14  
15 Section 1. Subsection (1) of section 322.04, Florida  
16 Statutes, is amended to read:

17 322.04 Persons exempt from obtaining driver license.-

18 (1) The following persons are exempt from obtaining a  
19 driver license:

20 (a) Any employee of the United States Government, while  
21 operating a noncommercial motor vehicle owned by or leased to  
22 the United States Government and being operated on official  
23 business.

24 (b) Any person while driving or operating any road  
25 machine, farm tractor, or implement of husbandry temporarily  
26 operated or moved on a highway.

27 (c) A nonresident who is at least 16 years of age and who  
28 has in his or her immediate possession a valid noncommercial

29 driver license issued to the nonresident in his or her home  
 30 state or country operating a motor vehicle of the type for which  
 31 a Class E driver license is required in this state.

32 (d) A nonresident who is at least 18 years of age and who  
 33 has in his or her immediate possession a valid noncommercial  
 34 driver license issued to the nonresident in his or her home  
 35 state or country operating a motor vehicle, other than a  
 36 commercial motor vehicle, in this state ~~if the nonresident has~~  
 37 ~~in his or her immediate possession.~~

38 ~~1. A valid noncommercial driver license issued in his or~~  
 39 ~~her name from another state or territory of the United States;~~  
 40 ~~or~~

41 ~~2. An International Driving Permit issued in his or her~~  
 42 ~~name in his or her country of residence and a valid license~~  
 43 ~~issued in that country.~~

44 (e)-(d) Any person operating a golf cart, as defined in s.  
 45 320.01, which is operated in accordance with the provisions of  
 46 s. 316.212.

47 Section 2. This act shall take effect upon becoming a law  
 48 and shall apply retroactively to January 1, 2013.