

MEETING OF THE GOVERNOR AND CABINET  
AS HEAD OF THE DEPARTMENT OF HIGHWAY SAFETY  
AND MOTOR VEHICLES

March 18, 2014

AGENDA

Agency Contact: Sharon Rudd, 850-617-3195

<http://www.flhsmv.gov/agenda/2013/031814Agenda.pdf>

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1. Respectfully submit the Minutes for the February 6, 2014 Cabinet Meeting.

Attachment #1.  
Recommend Approval.

2. Respectfully request approval to publish a Notice of Proposed Rulemaking to Amend Rule Chapter 15A-1, Driver Licenses, to update and clarify procedures, repeal language that is codified in law and modify the written examination and scoring by moving from two twenty question exams to a one fifty question exam with an eighty percent passing rate, the Department requests approval to file for final adoption if no requests for rule hearings are received as a result of the notice, or if a hearing is requested, no changes need to be made.

Attachment #2.  
Recommend Approval.

1           This is also something that's been reviewed and  
2 approved by the Investment Advisory Council. This  
3 creates a window that will allow people to take part of  
4 their personal retirement money out the retirement  
5 contribution plan and access other mutual funds,  
6 individual stocks, et cetera, through a brokerage  
7 window. Request approval.

8           GOVERNOR SCOTT: Is there a motion to approve?

9           ATTORNEY GENERAL BONDI: So moved.

10          GOVERNOR SCOTT: Is there a second?

11          CFO ATWATER: Second.

12          GOVERNOR SCOTT: Any comments or objections?

13          Hearing none, the motion carries.

14          Thank you, Ash.

15          EXECUTIVE DIRECTOR WILLIAMS: Thank you.

16          GOVERNOR SCOTT: Now I'd like to recognize Julie  
17 Jones, Executive Director of the Department of Highway  
18 Safety and Motor Vehicles to present her agenda.

19          Good morning.

20          EXECUTIVE DIRECTOR JONES: Good morning, Governor,  
21 cabinet members.

22          GOVERNOR SCOTT: You have an entourage.

23          EXECUTIVE DIRECTOR JONES: I do. Before I present  
24 my agenda, I have two presentations. We held the first  
25 ever seat belt safety contest for middle schoolers, and

1 I have -- I have pictures, but I also have samples.  
2 You guys actually signed these, so everyone's already  
3 got their -- got their calendars.

4 I have the winner, Rachel, is here with her  
5 parents and her grandmother, and then we had -- we  
6 picked 12, January through December, winners for the --  
7 for the contest. So we had over 100 entries, and with  
8 us today, we have Rachel Fulmer, a 7th grader from  
9 Heron Creek Middle School from Sarasota County. With  
10 Rachel we have her mother Christy, her father Kevin and  
11 grandmother Rachel. So Rachel --

12 (Applause.)

13 EXECUTIVE DIRECTOR JONES: Also --

14 GOVERNOR SCOTT: We'll come down and get pictures.

15 EXECUTIVE DIRECTOR JONES: Well, okay.

16 GOVERNOR SCOTT: You want to do that, or do you  
17 want to do it at the end?

18 EXECUTIVE DIRECTOR JONES: Let's do it at the end  
19 because I've got --

20 GOVERNOR SCOTT: More?

21 EXECUTIVE DIRECTOR JONES: Yeah. Go through this  
22 whole -- the whole -- the whole calendar. Of the 12  
23 months of the year, one -- one middle school -- and I  
24 want to shout out to Ms. Rodriguez -- come up -- art  
25 teacher. She really took this seriously.

1 (Applause.)

2 EXECUTIVE DIRECTOR JONES: We know that wearing  
3 seat belts saves lives. We had the click it and ticket  
4 campaign, but this is a campaign that focuses on our  
5 early adopters, our early drivers. In middle school,  
6 when they're thinking about that driver's license, got  
7 to have it, this is to concentrate on getting them to  
8 think about that safety piece.

9 So the six winners: Sara, for February; Brianna,  
10 March; Rianna, May; Adrianna, June; Cassidy, September;  
11 and Melissa are here and their parents, if their  
12 parents could stand up. Thank you very much for  
13 coming.

14 (Applause.)

15 EXECUTIVE DIRECTOR JONES: This is Kurt Browning.  
16 This particular middle school, Chasco Middle School, is  
17 also in Pasco County, so I asked --

18 GOVERNOR SCOTT: You have a proud superintendent  
19 here?

20 EXECUTIVE DIRECTOR JONES: Yeah. Proud  
21 superintendent plus a principal. Their principal, Dave  
22 Huyck, is here, and, of course, Ms. Rodriguez, and then  
23 from the Pasco County Sheriff's Office, I've got  
24 Corporal John Dill. This literally took a community.  
25 This was community involvement, and we really

1 appreciate all of these friends, family and the school  
2 itself to participate in this. This is -- we'll do  
3 this again next year, but these are our winners for  
4 this year, so congratulations.

5 (Applause.)

6 EXECUTIVE DIRECTOR JONES: Yes, pictures. Yes,  
7 you can do a picture now, sir.

8 (Pictures were taken.)

9 EXECUTIVE DIRECTOR JONES: If you flip it over,  
10 this -- that's Rachel's. If you flip on the back side,  
11 that's Rachel's winning cover photo, and then six of  
12 the internal drawings are from the six young ladies we  
13 had up there. We'll continue to do this. We know our  
14 outreach efforts are reaching adults. Catching the  
15 youngsters as they come into their young driving life  
16 is important.

17 I'd also like to take a brief moment to recognize  
18 an important milestone for the Florida Highway Patrol.  
19 This year marks the 75th anniversary of the patrols.

20 GOVERNOR SCOTT: Yay.

21 (Applause.)

22 EXECUTIVE DIRECTOR JONES: In 1939 the legislature  
23 created a patrol as a part of the Department of Public  
24 Safety. This is the Kirkman Building. This is the  
25 first colonel was Colonel H. Neil Kirkman.

1           At the end of the first full year of operation in  
2           1940, we had 59 troopers statewide. They patrolled 1.9  
3           million miles of roads, investigated 1,000 crashes, and  
4           our state only had about a little less than 2 million  
5           people. Today we have 1,656 troopers working the  
6           roads. They worked 200,000 crashes, drove 31 million  
7           miles, and, as the Governor reminds us, 19 million  
8           population plus 90 million visitors, so a lot of  
9           service to the community.

10           The patrol is going to have a number of events to  
11           celebrate this anniversary, but to commemorate this --  
12           this milestone, this important milestone for the  
13           patrol, I'd like to present you with the 75th  
14           Anniversary Highway Patrol tag. You'll see these --  
15           these tags with the individual trooper's numbers on the  
16           vehicles. This was done through -- through their  
17           employee benefit fund. The State didn't pay for these,  
18           but thank you for the support that you have given the  
19           patrol, and we look forward to maybe getting you out to  
20           a couple of these events.

21           ATTORNEY GENERAL BONDI: So we can't put these on  
22           the back of our car?

23           EXECUTIVE DIRECTOR JONES: You can't. You can put  
24           it on the front of your car, not the back.

25           GOVERNOR SCOTT: If we put it on there, will we

1 still get a ticket if we speed?

2 EXECUTIVE DIRECTOR JONES: Yes. You might get two  
3 for that.

4 GOVERNOR SCOTT: Or maybe be on TV.

5 (Pictures were taken.)

6 EXECUTIVE DIRECTOR JONES: Outstanding. This will  
7 go along with -- each one of you has given us a  
8 statement for Facebook, and this will continue along  
9 with that to honor the patrol.

10 COMMISSIONER PUTNAM: Keep the logo the same too  
11 after 75 years.

12 EXECUTIVE DIRECTOR JONES: Yes, sir.

13 COMMISSIONER PUTNAM: We like that logo.

14 EXECUTIVE DIRECTOR JONES: Yes, sir. We are  
15 keeping the logo. Oranges. You know, Commissioner, I  
16 believe that if I tried to change the logo or anything  
17 about the color of the cars or anything, I'd be  
18 horsewhipped and dragged behind the car. There is so  
19 much tradition associated with the patrol in this state  
20 that they are very proud of their image, and so that  
21 isn't going to happen on my watch.

22 Today we have two agenda items for your  
23 consideration. We respectfully request approval for  
24 the December 10th meeting minutes.

25 GOVERNOR SCOTT: Is there a motion to approve?

1 ATTORNEY GENERAL BONDI: So moved.

2 GOVERNOR SCOTT: Is there second?

3 CFO ATWATER: Second.

4 GOVERNOR SCOTT: It's been moved and seconded.

5 Show the minutes approved without objection.

6 EXECUTIVE DIRECTOR JONES: Thank you, sir.

7 Item Number 2, I respectfully request to give you  
8 a briefing on the Department's second quarter  
9 performance.

10 GOVERNOR SCOTT: We've actually read it.

11 EXECUTIVE DIRECTOR JONES: Pardon me?

12 GOVERNOR SCOTT: We've read it.

13 EXECUTIVE DIRECTOR JONES: Okay.

14 CFO ATWATER: Move to accept.

15 GOVERNOR SCOTT: Is there a second?

16 ATTORNEY GENERAL BONDI: Second.

17 GOVERNOR SCOTT: Any comments or objections?

18 The motion carries.

19 EXECUTIVE DIRECTOR JONES: Thank you, sir.

20 GOVERNOR SCOTT: Thank you, ma'am. Good job. Now

21 we -- thank you, Julie Jones. You do a great job.

22 EXECUTIVE DIRECTOR JONES: Thank you, sir.

23 GOVERNOR SCOTT: Thank you. Every member of

24 Florida Highway Safety and Motor Vehicles.

25 (Applause.)

## DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES

### CHAPTER 15A-1 DRIVER LICENSES

#### RULE NUMBERS: RULE TITLE:

15A-1.0015	Translation of Foreign Documents
15A-1.003	Licenses Restricted as to Use
15A-1.004	Reciprocity
15A-1.005	Current Licenses; Relinquishment
15A-1.0051	Renewal of License; Resident Temporarily Out of the State
15A-1.008	Drug Addiction and Alcoholism
15A-1.009	Mental Condition
15A-1.010	Physical Condition
15A-1.012	Driver License Examinations: Scoring
15A-1.0125	Oral Examinations
15A-1.013	Minimum Visual Standards for Licensing
15A-1.014	Vehicle Inspection
15A-1.015	Driving Ability, Demonstration: Scoring Criteria
15A-1.016	Test/Examination Failure; Disqualification: Procedure
15A-1.017	Re-examinations
15A-1.019	Reinstatement; Hardship
15A-1.0195	Right of Review
15A-1.021	Cancellation
15A-1.023	Appointments
15A-1.024	Temporary Driving Permits
15A-1.026	Express Renewal Offices
15A-1.027	Driver Education Licensing Assistance Program (DELAP)
15A-1.028	Fraudulent Driver License Applicants
15A-1.0296	Substance Abuse Courses Required for Licensing

#### Summary of Rule

To revise standards for driver license exams and update a scoring ratio. Also, to address forms incorporated throughout the rule chapter.

#### Statement of Facts and Circumstances Justifying the Rule

The rule is revised to allow for the driver license exam to be changed from two 20 question exams to one 50 question exam, clarifies that if an applicant is unable to read, the exam will be provided orally, requires that the exact same questions be used if exam is given orally, clarifies that Third Party Administrators of the Driver License Exam may not provide the questions orally, removed language capping the amount paid for an interpreter, removes language that requires the Driver License/Tax Collector office to readminister vision exam and instead requires a report from an eye specialist, clarifies which vehicle safety standards will be inspected prior to the driving exam being administered, removes language about the department impounding a vehicle if it is not found safe to administer the exam, clarifies that in the event of a crash, dangerous driving action, traffic law violation, or lack of cooperation or refusal to follow directions on the part of the applicant, the test will be terminated and the applicant disqualified, clarifies that a driver who is unable to pass the driving portion of the exam after five attempts within a one year

period, will be suspended as incompetent to drive for one year following the fifth exam. Repeals several rules in this Chapter as they have been codified in statute.

#### Federal Standards Statement

There are no federal standards related to the scoring of driver license exams.

#### Summary of Hearing

The Notice of Proposed Rule Development was noticed in the December 13, 2013, Florida Administrative Register, Volume 39, Number 241, setting out a public workshop for January 10, 2013. There was one attendee to the workshop and no changes were made a result of the workshop.

The Notice of Proposed Rule will be published in the March 20, 2014, Florida Administrative Register, Volume 40, Number 55, setting out a Public Hearing for April 10, 2014. If a timely request for a hearing is received by the agency, a hearing will be held.

CERTIFICATION OF THE  
DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
ADMINISTRATIVE RULES FILED WITH THE  
DEPARTMENT OF STATE

I do hereby certify:

- (1) That all statutory rulemaking requirements of Chapter 120, F.S., and all rulemaking requirements of the Department of State have been complied with; and
- (2) That there is no administrative determination under subsection 120.56(2), F.S., pending on any rule covered by this certification; and
- (3) All rules covered by this certification are filed within the prescribed time limitations of paragraph 120.54(3)(e), F.S. They are filed not less than 28 days after the notice required by paragraph 120.54(3)(a), F.S., and
  - (a) Are filed not more than 90 days after the notice; or
  - (b) Are filed not more than 90 days after the notice not including days an administrative determination was pending; or
  - (c) Are filed more than 90 days after the notice, but not less than 21 days nor more than 45 days from the date of publication of the notice of change; or
  - (d) Are filed more than 90 days after the notice, but not less than 14 days nor more than 45 days after the adjournment of the final public hearing on the rule; or
  - (e) Are filed more than 90 days after the notice, but within 21 days after the date of receipt of all material authorized to be submitted at the hearing; or
  - (f) Are filed more than 90 days after the notice, but within 21 days after the date the transcript was received by this agency; or
  - (g) Are filed not more than 90 days after the notice, not including days the adoption of the rule was postponed following notification from the Joint Administrative Procedures Committee that an objection to the rule was considered; or
  - (h) Are filed more than 90 days after the notice, but within 21 days after a good faith written proposal for a lower cost regulatory alternative to a proposed rule is submitted which substantially accomplishes the objectives of the law being implemented; or

[ ] (i) Are filed more than 90 days after the notice, but within 21 days after a regulatory alternative is offered by the small business ombudsman.

Attached are the original and two copies of each rule covered by this certification. The rules are hereby adopted by the undersigned agency by and upon their filing with the Department of State.

Rule Number:

- 15A-1.0015
- 15A-1.003
- 15A-1.004
- 15A-1.005
- 15A-1.0051
- 15A-1.008
- 15A-1.009
- 15A-1.010
- 15A-1.012
- 15A-1.0125
- 15A-1.013
- 15A-1.014
- 15A-1.015
- 15A-1.016
- 15A-1.017
- 15A-1.019
- 15A-1.0195
- 15A-1.021
- 15A-1.023
- 15A-1.024
- 15A-1.026
- 15A-1.027
- 15A-1.028
- 15A-1.0296

Under the provisions of subparagraph 120.54(3)(e)6., F.S., the rules take effect 20 days from the date filed with the Department of State or a later date as set out below:

Effective: \_\_\_\_\_.

\_\_\_\_\_  
Julie Jones

\_\_\_\_\_  
Executive Director  
Title

\_\_\_\_\_  
Department of Highway Safety and Motor Vehicles  
Agency

\_\_\_\_\_  
17  
Number of Pages Certified

**15A-1.0015 Translation of Foreign Documents.**

~~All documents listed in Rule 15A-1.0012, F.A.C., and submitted to the Department for the purpose of establishing or proving date of birth or for identification, in a language other than English, must be accompanied by a translation of that document into the English language. The translation must be sworn to by the translator as being a true and accurate translation~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.03, 322.08(2), 322.09(1)(b) FS. History—New 12-22-92, Repealed*

**15A-1.003 Licenses Restricted as to Use.**

(1) Applicants who are blind in one eye shall be issued licenses restricted to an outside rearview mirror on the left side of any vehicle that they drive.

(2) Applicants who are deaf or hard of hearing shall be issued licenses restricted to an outside rearview mirror on the left side of any vehicle that they drive.

(3) Applicants whose uncorrected vision is improved by corrective lenses to meet licensing requirements, shall be issued licenses restricted to the use of corrective lenses.

(4) Applicants who present a signed statement from a licensed eye specialist that the wearing of corrective lenses would be harmful to the applicant and who meet minimum vision standards for licensing in Florida, shall be licensed unrestricted.

~~(5)~~ (4) Applicants who have the following physical handicap shall be issued licenses restricted to the use of the indicated special equipment on any vehicle they drive unless they demonstrate by successfully passing a ~~driver's road test~~ driving exam that a particular item is not needed:

(a) Either hand or arm missing or useless – Power steering or steering wheel knob or grip, directional signals, automatic transmission.

(b) Both hands or arms missing or useless – Automatic transmission, power steering, directional signals, ~~wing type windshield wiper controls.~~

(c) Either foot or leg missing or useless – Hand dimmer switch, automatic transmission.

(d) Both feet or legs missing or useless – Hand dimmer switch, hand throttle, hand brake, automatic transmission, directional signals.

*Rulemaking Authority 322.02 FS. Law Implemented 322.16 FS. History—New 11-20-75, Formerly 15A-1.03, Amended 12-22-92,*

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**15A-1.004 Reciprocity.**

~~(1) Valid driver licenses, in the possession of nonresident operators of motor vehicles, that were issued by another state, territory or possession of the United States, or by the United States Government for driving motor vehicles owned or leased by the United States, or by another country under the international convention of road traffic of 1949, are valid in this state for purposes of operating motor vehicles in this state, subject to Chapters 316, 322 and 324, F.S., and rules adopted pursuant thereto.~~

~~(2) All applicants who are licensed in another state, United States possession or country, must successfully pass the vision test for the issuance of a Florida driver license.~~

~~(3) For the purposes of subsections (1) and (2), the extension of driver licenses issued by another state, a possession of the United States, or by the District of Columbia to members or discharged veterans of the armed forces of the United States will be recognized based on the law of the issuing state, possession or district.~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.04 FS. History—New 11-20-75, Formerly 15A-1.04, Amended 12-22-92, Repealed \_\_\_\_\_.*

**15A-1.005 Current Licenses; Relinquishment.**

~~(1) An applicant for a driver license examination is required to relinquish all current driver licenses to the Department with the application prior to being permitted to take an examination; provided, however, that a nonresident who is not applying for a commercial driver license commuting to this state to work, or part time resident from any other state or country license jurisdiction, shall upon affidavit of such facts be allowed to keep the license, but in such case any Florida driver's license issued shall be valid in this state only. Applicants for driver licenses, who do not have current driver's license at the time of the application, shall so state by affidavit.~~

~~(2) A notice of clearance from the issuing state may be required if the applicant has previously been licensed in another state, if necessary to establish eligibility.~~

~~(3) Out of state applicants who do not initially qualify on the examination when applying for a Florida driver's license can retain their out of state license until they again apply for a Florida license, unless the applicant's vision does not meet the Department's minimum vision standards, whereupon the out of state license would be revoked for inadequate vision.~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.03 FS. History—New 11-20-75, Formerly 15A-1.05, Amended 12-22-92, Repealed \_\_\_\_\_.*

**15A-1.0051 Renewal of License; Resident Temporarily Out of the State.**

~~(1) A resident of this state who renews a driver's license while temporarily out of the state shall, upon request, be issued a driver's license without a signature or photograph. Upon return to the state, a replacement license will be issued pursuant to subsection 15A-1.020(2), F.A.C.~~

~~(2) A resident temporarily out of this state but in another state of the United States may substitute the written test of the other state for the Florida re-examination.~~

~~(3) A resident temporarily in another country may have the Florida re-examination administered by a qualified person in the other country.~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.12, 322.14, 322.141, 322.18 FS. History—New 12-22-92, Repealed*

**15A-1.008 Drug Addiction and Alcoholism.**

~~(1) Whenever the Department has good cause to believe, or the applicant states, that the applicant is addicted to drugs or alcohol, the applicant shall forward a Medical Report (form HSMV 72423 revised 9/88, and herein incorporated by reference), obtained from the Department at 2900 Apalachee Parkway, Tallahassee, Florida, from a licensed physician to the Department for approval to apply for the license examination. The report shall state that the physician believes the applicant's drug and/or alcohol use would not cause the applicant to be incapable of operating a motor vehicle safely.~~

~~(2) An applicant who has been committed to, or a patient in, any public or private sanitarium, hospital, or similar institution because of drug addiction or alcoholism shall present a certified copy of the discharge from such institution to the Department for approval to apply for a license examination.~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.05 FS. History—New 11-20-75, Formerly 15A-1.08, Amended 12-22-92, Repealed*

**15A-1.009 Mental Condition.**

~~(1) Whenever the Department has good cause to believe that an applicant is mentally incompetent, or otherwise unsafe mentally to drive, or the applicant admits being subject to sudden attacks of unconsciousness, dizziness, convulsive seizures, or other similar mental disorders, the applicant shall forward a Medical Report (form HSMV 72423, as incorporated in Rule 15A-1.008, F.A.C.) from a licensed physician to the Department for approval to apply for the license examination. The report shall state that the physician believes the applicant is capable of operating a motor vehicle safely.~~

~~(2) An applicant previously adjudged incompetent shall present a certified copy of the court order restoring competency to the Department for approval to apply for the license examination.~~

~~Rulemaking Authority 322.02 FS. Law Implemented 322.05 FS. History—New 11-20-75, Formerly 15A-1.09, Amended 12-22-92, Repealed \_\_\_\_\_.~~

#### **15A-1.010 Physical Condition.**

~~(1) Whenever the Department has good cause to believe that an applicant is physically incapable of driving safely, or the applicant admits being subject to heart attacks, convulsive seizures, palsy, fainting spells, or other similar physical disorders, and such physical condition would not permit the issuance of a license, the applicant shall forward a Medical Report (form HSMV 72423, as incorporated in Rule 15A-1.008, F.A.C.) from a licensed physician to the Department for approval to apply for the license examination. The report shall state that the physician believes the applicant is capable of operating a motor vehicle safely.~~

~~(2) An applicant with a physical impairment that the Department believes requires special consideration for safe driving shall be given a driving ability examination and issued a driver's license that is restricted in use to special requirements as provided in Rules 15A-1.003 and 15A-1.013, F.A.C.~~

~~Rulemaking Authority 322.02 FS. Law Implemented 322.05 FS. History—New 11-20-75, Formerly 15A-1.10, Amended 12-22-92, Repealed \_\_\_\_\_.~~

#### **15A-1.012 Driver License Examinations: Scoring.**

An applicant shall fail an examination for any of the following:

~~(1) Written Road sign/road rules examinations – failing to correctly answer identify at least eighty percent of questions fifteen of twenty signs on the road sign examination, and failing to correctly answer at least fifteen of twenty questions on the road rules examination taken.~~

~~(2) Motorcycle operation examination – failing to correctly answer at least fifteen of twenty questions.~~

~~(3) Cheating is the unauthorized use of any material, devices, or communications on subsections (1) or (2). The use of any material or communicating with another person, except to the person administering the examination, is prohibited. To do so will result in immediate failure.~~

~~Rulemaking Authority 322.02 FS. Law Implemented 322.12 FS. History—New 11-20-75, Formerly 15A-1.12, Amended 12-22-92, \_\_\_\_\_.~~

#### **15A-1.0125 Oral Examinations.**

(1) If an applicant is unable to read, any required Class E written examination road rules or road sign tests shall

be given orally or by an automated audio device.

(2) The test question pool ~~same examination questions~~ shall be used for all ~~both written, automated, and oral~~ examinations, including those administered on-line or orally.

(3) Unless an automated testing system is in the office, the examiner shall administer the Class E written road ~~rules~~ examination by orally asking each question of the applicant and noting the response. ~~The examiner shall administer the oral road sign test by reading to the applicant two possible answers for what kind of sign it is and two possible answers for what the sign means, and then recording the responses. The Class E written examination oral road signs identification test must be facing the applicant while the test is being administered.~~ The examiner must explain that at least eighty percent of questions ~~fifteen signs and fifteen rules~~ must be answered correctly for the applicant to pass. Third Parties are not authorized to administer oral exams.

~~(4) Oral tests shall consist of the same number of questions or road signs as the corresponding written or automated tests which would ordinarily be given a literate applicant in the same situation. An applicant shall fail an oral test for the same reasons as for a written or automated test, as provided for in Rule 15A-1.012, F.A.C.~~

~~(5) Examiners shall record the fact that an applicant was given an oral examination by checking the "oral" box on the application. If the examination was administered in a language other than English, the "non-English" box shall also be checked.~~

~~(4)(6) Deaf applicants will be permitted to take an oral examination through an interpreter who shall be supplied by the applicant if a Department supplied interpreter is not available. No commercial driving school employees shall serve as interpreters. Whenever possible, the interpreter should not be related to the applicant. Prior to the beginning of the examination, the interpreter shall sign an Interpreter's Affidavit (form HSMV-71472, Revised 1/12 ~~8/87~~, and herein incorporated by reference), obtained at the driver license office when the examination is taken, that during the course of the examination no attempt will be made to assist the applicant by coaching or by supplying answers or hints, and that the interpreter's sole service to the applicant during the examination will be the rendering of a true and accurate interpretation of the examiner's questions and the applicant's responses. If the interpreter refuses to sign the Interpreter's Affidavit, the application procedure shall immediately cease and no examination will be given. The Department will issue local purchase orders up to one hundred dollars (\$100) for payment to interpreters of deaf or hearing impaired applicants.~~

*Rulemaking Authority 322.02(3) FS. Law Implemented 322.12, 322.121, 322.21(3), 322.212, 322.32(5) FS. History—New 9-18-*

79, Formerly 15A-1.125, Amended 12-22-92,\_\_\_\_\_.

**15A-1.013 Minimum Visual Standards for Licensing.**

(1) Applicants reading worse than 20/40 in either eye with or without corrective lenses are referred to a licensed eye specialist for possible improvement. ~~Upon return to an examining office the applicant will be retested for visual acuity.~~

(2) Applicants reading 20/70 in either eye, with or without corrective lenses, are qualified if vision cannot be improved; however, if one eye is blind, or 20/200 or worse, the other eye must be 20/40 or better or a license shall not be issued.

(3) Applicants reading 20/80 or worse, in each eye when neither eye can be improved shall not be licensed.

(4) Applicants whose visual acuity is improved by corrective lenses to meet the above requirements shall be restricted to driving while wearing such lenses.

(5) An applicant wearing contact lenses who does not wish to be restricted to corrective lenses shall be advised that the Department must determine if the uncorrected visual acuity meets Department vision requirements.

Determination shall be by:

(a) Presenting a contact lens wearer card prepared by an eye specialist showing applicant's uncorrected acuity,  
or

(b) Presenting a Report of Eye Examination (form HSMV-72010, Revised 6/11 ~~3/90~~, and herein incorporated by reference), provided by the Department ~~obtained at a local driver license office~~, completed by an eye specialist,  
or

(c) Return later when not wearing the corrective lenses.

(6) Whenever there is a difference of more than 20 points between the acuity reported by the eye specialist and the reading from the vision screening equipment by the driver license examiner, the driver license examiner will so notify the eye specialist to determine an explanation for the difference. If after the explanation, the point difference remains the same, the examiner will request the applicant to get a comparison eye report from another eye specialist.

(7) Minimum acceptable field of vision is 130 ~~140~~ degrees.

(8) Use of telescopic lenses to meet minimum visual requirements is not permitted.

*Rulemaking Authority 322.02 FS. Law Implemented 322.12, 322.15, 322.16 FS. History—New 11-20-75, Formerly 15A-1.13, Amended 12-22-92,\_\_\_\_\_.*

**15A-1.014 Driving Exam Administration Vehicle Inspection.**

~~(1) Demonstration of driving ability shall be in a motor vehicle furnished by the applicant.~~

~~(1)(2) The following items~~ Items listed in the "Florida Examiner's Manual" (form HSMV 71999, Revised 6/27/91 and herein incorporated by reference), obtained from the Department at 2900 Apalachee Parkway, Tallahassee, Florida, will be inspected prior to demonstration of driving ability: equipment in safe working condition, including windows and mirrors; horn; headlights, brakelights, tail lights, and directional signals; foot and emergency brakes; tires; windshield wipers; and exhaust system. (a) In cases where the driving test will not be given because the vehicle is unsafe or improperly equipped, the application will be processed as incomplete. ~~The applicant will be required to return with an appropriate or repaired vehicle. The applicant may return and be tested in a different vehicle provided that vehicle has a valid tag (license plate) and passes the vehicle inspection.~~

~~(b) The Department is not responsible for impounding the applicant's vehicle if it is defective nor is the Department liable if the applicant drives the vehicle.~~

~~(2)(3)~~ Applicants restricted to special equipment discussed in Rule 15A-1.003 F.A.C., must be tested in vehicles equipped with such special equipment.

~~(3)(4)~~ Applicants will be required to wear seat belts as provided by Section 316.614, F.S. Vehicles not in compliance with this statute cannot be used for a driving test.

~~(4)(5)~~ Proof of valid motor vehicle insurance and license plate as required by Florida law, must be demonstrated for vehicles used for driving tests.

*Rulemaking Authority 322.02 FS. Law Implemented 322.12, 316.271, 316.294, 316.614, 316.646, 627.733 FS. History—New 11-20-75, Formerly 15A-1.14, Amended 12-22-92,\_\_\_\_\_.*

**15A-1.015 Driving Ability, Demonstration: Scoring Criteria.**

(1) Any applicant who scores 31 or more penalty points on the Class E driving exam will not qualify for a driver license. Record of Driver Examination (form HSMV-71110, Revised 10/13, and herein incorporated by reference) ~~Specific scoring criteria are listed in the "Florida Examiner's Manual" (form HSMV 71999, as incorporated in Rule 15A-1.014, F.A.C.).~~

(2) Termination ~~Failure to qualify, or termination~~ of a test, will may also occur in the event of a crash, dangerous driving action, traffic law violation, or lack of cooperation or refusal to follow directions on the part of the applicant ~~under the conditions listed in the "Florida Examiner's Manual".~~

(3) Applicants who fail to pass the driving test portion within five (5) attempts within a one year period shall have driving privileges be suspended for one (1) year as incompetent to drive ~~incapable of operating~~ a motor vehicle safely and will be served with a ~~Order of License Revocation or Suspension (form HSMV 72101, Revised 1/88, and herein incorporated by reference).~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.12, 322.27, 322.28, FS. History—New 11-20-75, Formerly 15A-1.15, Amended 12-22-92, \_\_\_\_\_.*

**15A-1.016 Test/Examination Failure; Disqualification: Procedure.**

(1) Applicants are required to successfully complete the written tests and vision test before being permitted to demonstrate driving ability.

(2) Once the written and vision tests have been successfully passed, such tests need not be retaken upon failure of the driving test unless the test results are no longer a matter of record.

(3) Upon failing a vision or written ~~road rule, or road sign test/examination~~, another test/examination may be taken on the day of failure, examining time permitting.

(4) An applicant shall not be permitted to take more than one driving test on any one day unless specifically authorized by an office supervisor or higher authority.

*Rulemaking Authority 322.02 FS. Law Implemented 322.12 FS. History—New 11-20-75, Formerly 15A-1.16, Amended 12-22-92, \_\_\_\_\_.*

**15A-1.017 Re-examinations**

~~(1) Any driver whose driver license has been revoked or suspended by this state or another state, is required, after approval by the Department, to pass the license examinations for a new driver's license as applicable according to the Florida Examiner's Manual (form HSMV 71999, as incorporated in Rule 15A-1.014, F.A.C.) reinstatement procedures. Suspensions for financial responsibility reasons and under Section 318.15, F.S. are excluded.~~

~~(2) Section 322.29, F.S., authorizes the Department to require the driving test for certain suspensions, revocations and cancellations, pursuant to Section 322.221, F.S. These are:~~

~~(a) Suspensions:~~

~~1. Failed to pass driver's license examination—out of state resident.~~

~~2. Failed to report for driver's license examination—out of state resident.~~

~~3. Failed driver's license examination (road test) 5 times.~~

~~4. Failed to pass when only the driving test is required.~~

- ~~5. Failed to pass required driver's license examination.~~
- ~~6. Failed to report for the required driver's license examination.~~
- ~~7. Failed to report when only the driving test is required.~~
- ~~8. Incapable of operating a motor vehicle safely.~~
- ~~9. Incapable of operating a motor vehicle safely—failed examination.~~

~~(b) Revocations: Incapable of operating a motor vehicle safely.~~

~~(c) Cancellations:~~

- ~~1. Altered birth date.~~
- ~~2. Complete examination required for driver's license.~~
- ~~3. Counterfeit driver's license not accepted for Florida License.~~
- ~~4. Driver's license voluntarily surrendered.~~
- ~~5. Driving test required for driver's license.~~
- ~~6. Examination required when restricted license expires.~~
- ~~7. Examination required for driver's license.~~
- ~~8. Examination required to reinstate cancelled license.~~
- ~~9. Expired out of state license not accepted.~~
- ~~10. False information given on an application for a driver's license.~~
- ~~11. Fraudulently altered driver's license.~~
- ~~12. Not of age to hold a driver license.~~
- ~~13. Not of age to purchase driver's license.~~

~~(3) All drivers determined by the Department to require re-examination as provided in Section 322.221, F.S., shall be notified by the Department at least 5 days prior to the date of the required examination. The license of any driver failing to be re-examined shall be automatically suspended and shall not be reinstated except as provided in subsection (1) of this section.~~

~~(4) Drivers being re-examined for commercial licenses who disqualify on the commercial license examination shall, upon qualifying by examination, be issued non-commercial licenses.~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.22, 322.221, 322.29 FS. History—New 11-20-75, Formerly 15A-1.17, Amended 12-22-92, Repealed \_\_\_\_\_.*

**15A-1.019 Reinstatement; Hardship.**

Any driver whose driver's license has been suspended, revoked, or cancelled for any reason, other than those that are statutorily prohibited ~~exceptions listed in paragraph (5) below~~, and habitual offenders during the first year of their five year revocation, may apply immediately to the Department for the modification of the order or the reinstatement of a license pursuant to Section 322.271, F.S., as follows:

(1) Furnish the Department with a completed ~~the request for an administrative hearing by personal letter or on an Application for Administrative Hearing Hardship License (form HSMV-78306 72306, Revised 12/13 12/91, and herein incorporated by reference)~~, obtained from a Department ~~local Driver Improvement~~ office, and the following:

(a) Driver's license, if in applicant's possession.

(b) ~~A Statement of Hardships (form HSMV 72307, Revised 9/92, and herein incorporated by reference), obtained from a local Driver Improvement office, containing the following: full name; address; date of birth; driver's license number; date and reason for suspension, revocation or cancellation; and statements as to why a driver's license is needed; applicant's intentions regarding driving habits, if license is returned; and a list of all arrests for traffic violations in this and any other state.~~

~~(c) Three letters of recommendation from respected persons in the community in which the applicant resides.~~

~~(c)(d)~~ Proof of driver improvement school requirements as provided in Section 322.271, F.S.

(2) If, after the hearing, the Department modifies its suspension, revocation or cancellation order or reinstates the use of the applicant's driver's license, such use will be for employment or business purposes only as defined in Section 322.271~~(1)(e)~~, F.S. for the remaining period of the original suspension or revocation.

(3) If, after the hearing, the Department affirms its original order, no further hearing shall be held, except that another hearing shall be granted by the Department if proof of new evidence is submitted ~~within three months from the first hearing.~~

(4) A violation of the restrictions imposed on the use of a reinstated license shall cause the license to be automatically suspended or revoked for the remainder of the period of the original suspension or revocation.

~~(5) Exceptions to reinstatement on a limited restricted basis:~~

~~(a) Persons who have been convicted of two or more violations of Section 316.193, F.S., which does not result in a five or ten year revocation.~~

~~(b) Persons suspended two or more times for refusal to submit to a breath, blood or urine test pursuant to~~

~~Section 322.261, F.S., are prohibited reinstatement on a restricted basis until the suspension period expires.~~

~~(c) Persons revoked for five years for two convictions of driving under the influence or driving with an unlawful blood alcohol level within five years, must serve twelve months of the revocation period, complete a Department approved substance abuse course, be under the supervision of a DUI school, abstain from drinking, and abstain from driving for a 1 year period prior to applying for reinstatement on a restricted basis.~~

~~(d) Persons revoked for ten years for three convictions of driving under the influence or driving with an unlawful blood alcohol level within a ten year period, must serve twenty-four (24) months of the revocation period, complete a substance abuse course, be under the supervision of a DUI school, and abstain from drinking, and abstain from driving for a 1 year period prior to application for a restricted driver's license.~~

~~(e) Persons permanently revoked for four or more convictions of driving under the influence or DUI manslaughter, or because of a conviction of manslaughter resulting from the operation of a motor vehicle or vehicular homicide and has been convicted of driving under the influence, or DUI manslaughter may, upon the expiration of 5 years after the date of such revocation, petition the Department for reinstatement of driving privilege. It must be demonstrated to the Department that the petitioner has not been arrested for a drug related offense during the revocation period, not have driven a motor vehicle without a license for at least five years, been drug free for at least five years prior to the hearing, and has completed a court approved substance abuse driver training course. The person must be supervised under a court approved DUI program conducting substance abuse education, and report to the program for counseling evaluation and education at least four times a year, or as required by the program, for the remainder of the revocation period.~~

~~(f) Habitual offenders must serve the first year of their five year revocation prior to possible reinstatement.~~

~~(g) Persons suspended under the financial responsibility law are prohibited from any reinstatement until they comply with the requirements of the law in Chapter 324, F.S.~~

~~(h) Persons suspended pursuant to Sections 318.15 and 322.245, F.S.~~

*Rulemaking Authority 322.02 FS. Law Implemented 318.15, 322.16, 322.245, 322.271, 322.28, 322.282 FS. History—New 11-20-75, Formerly 15A-1.19, Amended 12-22-92,\_\_\_\_\_.*

#### **15A-1.0195 Right of Review.**

Any person whose driving privilege has been cancelled, suspended or revoked, may petition the Department for an administrative review hearing to present evidence showing why their driving privilege should not have been

cancelled, suspended or revoked. Application for such review hearing shall be made by personal letter ~~or on an Application for Hardship License (form HSMV 72306, as incorporated in Rule 15A-1.019, F.A.C.),~~ specifying the action for which the review is requested, and the documents in the possession of the Department which the licensee requests to review.

*Rulemaking Authority 322.02, FS. Law Implemented 120.57, 322.27(1), 322.222, 322.221, FS. History—New 12-22-92, Amended*

#### **15A-1.021 Cancellation.**

~~(1) Upon determining that a licensee is not entitled to the issuance of a license, the Department shall cancel the driver's license.~~

~~(2) If payment of fee for a license, or identification card is made by a bad or worthless check or counterfeit bill, the Department shall, prior to cancellation of the license or identification card, attempt to contact the person and afford the opportunity to retain the license upon restitution and payment of legally required penalties. Restitution and payment of required penalties shall be made by mailing to the Department in Tallahassee a certified check or money order in the required amount. No field employee of the Department shall accept any restitution and/or penalty payment for bad or worthless check or counterfeit bill. Upon cancellation for bad or worthless check or counterfeit bill, the license or identification card must be surrendered to the Department. A new license or identification card shall not be issued unless the applicant presents written authorization from the Department in Tallahassee, verifying that all payments have been received.~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.22 FS. History—New 11-20-75, Formerly 15A-1.21, Amended 12-22-92, Repealed*

#### **15A-1.023 Appointments.**

~~The Department shall provide appointments for applicants for limited or full driver license services at the local driver license offices.~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.02 FS. History—New 12-22-92, Repealed*

#### **15A-1.024 Temporary Driving Permits.**

~~(1) A Temporary Driving Permit (form HSMV 71900, as incorporated in Rule 15A-1.020, F.A.C.) shall be issued by the Department at local driver licenses offices, in lieu of a driver's license in the following cases:~~

~~(a) Persons issued a letter requiring reexamination pursuant to Section 322.221, F.S.~~

~~(b) Applicants who fail the vision test, but meet the minimum standard, and whose Florida or out of state~~

license is about to expire.

~~(c) Applicants who have been referred for medical reports.~~

~~(d) When the central computer and field terminals are both inoperable, a permit shall be issued for original and renewal applicants upon meeting the requirements for the issuance of an original or renewal license.~~

~~(e) When the camera is inoperable and a license cannot be issued.~~

~~(f) Applicants recently renewing their driver's license, who are applying for a duplicate before the record is updated.~~

~~(g) Persons who have been convicted of their first DUI offense, who have been issued Court Order (form HSMV 72310, Revised 7/91, and herein incorporated by reference), by a Florida court ordering the issuance of a Temporary Driving Permit, if otherwise eligible, or persons receiving their first suspension pursuant to Section 322.261, F.S., and having been issued Court Order (form HSMV 72311, Revised 4/87, and herein incorporated by reference) by a Florida court ordering the issuance of a Temporary Driving Permit, if otherwise eligible.~~

~~(h) Drivers who have surrendered valid Florida licenses prior to the effective date of a Florida revocation or suspension and who are applying for an administrative hearing.~~

~~(i) If the holder of a valid out of state license has a post-dated Florida suspension or revocation, the out of state license shall be picked up and the applicant issued a permit up to the day preceding the effective date of the revocation or suspension.~~

~~(j) Any applicant applying for a motorcycle endorsement who passes a motorcycle knowledge test.~~

~~(k) Persons for whom driving tests are required as specified in Section 322.21, F.S. or subsection 15A-1.017(2), F.A.C.~~

~~(2) No Temporary Driving Permit may be issued to holders of valid driver licenses or Florida identification cards, unless license or identification card is surrendered.~~

~~(3) Florida DUI Uniform Traffic Citations (forms HSMV 75903 and 75904, both revised 10/91, and herein incorporated by reference) issued by law enforcement officers, shall serve as a 7 day temporary driving permit for eligible persons arrested for DUI.~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.07, 322.25, 322.21, 322.28 FS. History—New 12-22-92, Repealed*

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**15A-1.026 Express Renewal Offices.**

~~(1) Express renewal offices located at various sites in Florida will provide express driver license renewal service to holders of Florida licenses.~~

~~(2) These express offices are authorized to issue licenses for applicants who apply for renewal, replacement or duplicate licenses of identification cards.~~

~~(3) Vision tests and road sign examinations, required for driver license renewals, will also be administered at the express offices.~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.18, 322.19 FS. History—New 12-22-92, Repealed \_\_\_\_\_.*

**15A-1.027 Driver Education Licensing Assistance Program (DELAP).**

~~(1) DELAP will utilize driver education instructors to assist the Department in licensing new drivers. Students who successfully complete the Department's road rule/road sign examination are eligible for issuance of a Driver Education/Written Examination Waiver (form HSMV 71701, Revised 8/85, and herein incorporated by reference) by the driver education instructor. This form is known as the white waiver form. Students who satisfactorily complete a Department of Education (DOE) approved driver education course in the public secondary schools will receive a Driver Education/Road Test Waiver (form HSMV 71702, Revised 2/88, and herein incorporated by reference), from their driver education instructor, which can be used in lieu of the Department road test. This form is known as the pink waiver form. Only those driver education courses meeting the following requirements will be approved by the Department to participate in this program.~~

~~(a) Instructional personnel are DOE certified driver education instructors.~~

~~(b) Courses follow the DOE curriculum framework and student performance standards approved by the school boards' pupil progression plan.~~

~~(c) Courses are a full semester in length.~~

~~(d) Each school offering the DELAP program shall be included in a public secondary, education program.~~

~~(2) There are two driver education curriculum frameworks: 1). Driver Education/Traffic Safety Classroom 1900300; and 2). Driver Education/Traffic Safety Classroom and Laboratory 1900310. Students enrolled in either course who successfully pass the Department's road rules/road sign examination may use the white waiver form to apply for the restricted driver's license without taking further road rule/road sign examinations in a driver license office. Students completing the classroom and laboratory course may use the pink waiver form, to apply for their~~

~~operator license without taking the Department driving test, except as specified for spot checking. Each driver license office supervisor is responsible for the random testing of pink waiver holders. Not less than two or not more than five students per semester shall be spot tested.~~

~~(3) Waiver Issuance.~~

~~(a) When students demonstrate mastery of the basic rules of the road through use of the Department's road rules/road sign examinations, they will be given a white waiver form, by their driver education instructor. The waiver form will be signed by the driver education instructor and the school administrator or designee. The school administrator or designee may use a facsimile stamp of their signature. Students will be informed that if they want to apply for a restricted driver license, they must take the white waiver form, along with their parent or a signed and notarized Parent Consent For Driver Application Of Minor Under 18 (Form HSMV 71022, as incorporated in subsection 15A-1.001(2), and a valid birth certificate, to the local driver license office within one year. Students must be prepared to take a vision test at the driver license office.~~

~~(4) Upon successful completion of the laboratory course students will receive the pink waiver form. Students will be informed that they can take the Department's pink waiver form to the local driver license office within one year to apply for their operator license. Students holding forms over one year from the date of issuance will be required to successfully pass the appropriate examination at the driver license office. Students are subject to a spot check, as specified in subsection (2) above by an examiner at the examining office. This will determine if students are safe and competent drivers and comply with guidelines governing driver license examiners to promote uniformity in both agencies in validating the program.~~

*Rulemaking Authority 322.02, 322.13 FS. Law Implemented 322.13(1)(b)1., 2. FS. History—New 12-22-92, Repealed \_\_\_\_\_.*

**15A-1.028 Fraudulent Driver License Applicants.**

~~(1) All applicants making fraudulent applications for driver licenses are subject to a one year suspension of their driving privilege and all driver's licenses and all supporting documents in their possession will be confiscated and held as evidence. These applicants shall also forfeit to the Department any license fees paid at the time the fraudulent act was committed. Upon reinstatement, these applicants must pay reinstatement fees and applicable license fees.~~

~~(2) All applicants making fraudulent applications for driver licenses are subject to felony arrest or being issued a misdemeanor citation.~~

~~(3) The above penalties shall be imposed at the time the fraudulent act is committed, or after the fact, if the fraudulent application is not immediately discovered.~~

~~(4) Designated Department personnel are authorized to issue Florida Uniform Traffic Citations to applicants making fraudulent applications in violation of state law.~~

~~(5) Examining personnel in driver license offices will be trained in the Department's driver license fraud prevention program and will actively seek to discover any fraudulent applications for a driver's license or identification card.~~

*Rulemaking Authority 322.02, 322.13, 322.212, 322.27 FS. Law Implemented 322.13(2), 322.12, 322.27, 322.271, 322.32, 322.33 FS. History—New 12-22-92, Repealed \_\_\_\_\_.*

#### **15A-1.0296 Substance Abuse Courses Required for Licensing.**

~~(1) In compliance with Florida Statutes, to ensure that driver license applicants who have never been licensed in any jurisdiction complete an approved traffic law and substance abuse education course as a prerequisite to license issuance, the following procedures apply:~~

~~(a) All applicants applying for their first driver license, having never been licensed in any state or country, or the evidence of such licensing is not available, must present to the examiner written verification of a substance abuse course completion on official school forms or letterhead stationary. Photocopies are not acceptable. In the event the applicant has not yet completed such course requirement at the time of the initial application for driver license examination, the complete examination shall be conducted. After the applicant passes all required tests, a non-renewable temporary driving permit valid for a period of 60 days from the date of issuance, shall be provided without charge to the applicant under the same terms and conditions as the license for which application was made.~~

~~(b) When the applicant presents written verification of this course completion and has met all other requirements, the driver license shall be issued at which time the license fees are collected.~~

#### ~~(2) Exceptions:~~

~~(a) The requirements for completion of a traffic law and substance abuse course do not apply to persons who present documentary evidence that they:~~

~~1. Have completed a Department of Education driver education course offered pursuant to Section 233.063, F.S.; or~~

~~2. Have been previously licensed in the United States or its territorial possessions; or~~

~~3. Have been previously licensed in a country or a territorial possession of a country which is a party to the United Nations Convention on Road Traffic (Geneva, 1949) or the Convention on the Regulation of Inter-American Automotive Traffic (Washington, 1943), both of which have been ratified by the United States. Parties to these conventions are listed in the American Automobile Association's Digest of Motor Laws, fifty-fifth edition.~~

*Rulemaking Authority 322.02 FS. Law Implemented 322.08, 322.095 FS. History—New 12-22-92, Repealed \_\_\_\_\_.*

CERTIFICATION OF MATERIALS INCORPORATED BY REFERENCE

IN RULES FILED WITH THE DEPARTMENT OF STATE

I hereby certify pursuant to Rule 1B-30.005, Florida Administrative Code:

(1) That materials incorporated by reference in Rule 15A-1 have been electronically filed with the Department of State.

(2) That because there would be a violation of federal copyright laws if the submitting agency filed the incorporated materials described below electronically, a true and complete paper copy of the incorporated materials are attached to this certification for filing. Paper copies of the incorporated materials below may be obtained at the agency by contacting: Ray Graves, Program Manager, 2900 Apalachee Parkway, Room A201, Tallahassee, FL 32399-0500, raygraves@flhsmv.gov, (850)617-2529.

List form number(s) and form title(s), or title of document(s) below:

HSMV Form 71110 – Record of Driving Examination

HSMV Form 71472 – Interpreter Affidavit

HSMV Form 72010S – Report of Eye Exam

HSMV Form 78306 – Application for Administrative Hearing

Under the provisions of Section 120.54(3)(e)6., F.S., the attached material(s) take effect 20 days from the date filed with the Department of State, or a later date as specified in the rule.

\_\_\_\_\_  
Signature, Person Authorized to Certify Rules

Executive Director

\_\_\_\_\_  
Title

Test: \_\_\_\_\_ Record of Driving Examination Date: \_\_\_\_\_  
 Name: \_\_\_\_\_ DL: \_\_\_\_\_ Tag #: \_\_\_\_\_ Ins. Yes No  
 Signatures: Examiner \_\_\_\_\_ Customer: \_\_\_\_\_  
**Vehicle Inspection:** \_\_\_Horn \_\_\_ Stoplights \_\_\_ Tires \_\_\_ Brakes \_\_\_ Steering \_\_\_ Signals \_\_\_ Mirror \_\_\_ Seatbelts

**DISQUALIFICATION** \_\_\_Crash \_\_\_ Dangerous Action \_\_\_Traffic Law Violation \_\_\_Lack of Cooperation/Refusal  
 Explain: \_\_\_\_\_

**STRAIGHT-IN PARKING**

- FAIR (5)**  
 \_\_\_Two attempts to properly park  
 \_\_\_Not properly spaced in stall  
 \_\_\_Hits cone(s) with bumper  
 \_\_\_No signal pulling in
- BAD (10)**  
 \_\_\_Two under FAIR  
 \_\_\_Car not fully within stall  
 \_\_\_Failed to look behind while backing  
 \_\_\_Knocks down cone with bumper
- DISQUALIFIED**  
 \_\_\_Scrapes paint or damages car  
 \_\_\_Climbs onto or over curb  
 \_\_\_Fails to yield while backing (traffic/pedestrian affected)  
 \_\_\_Loses control when leaving stall  
 \_\_\_Strikes cone with any part of car other than bumper  
 \_\_\_Backs or runs over cone(s)  
 \_\_\_Fails to get front wheels inside stall in two attempts  
 \_\_\_Refuses second attempt

**PARKING ON GRADE**

- FAIR (3)**  
 \_\_\_Ignition not off  
 \_\_\_Gears not set  
 (Automatic/Park - Standard/First gear or Reverse)  
 \_\_\_Front wheels not turned at proper angle
- BAD (6)**  
 \_\_\_Two under FAIR  
 \_\_\_Stalls motor when parking  
 \_\_\_Does not use emergency brake, clutch and gas effectively  
 \_\_\_Emergency brake not set
- DISQUALIFIED**  
 \_\_\_Cannot perform maneuver  
 \_\_\_Interferes with traffic

**QUICK STOP**

- FAIR (5)**  
 \_\_\_Weaves back and forth  
 \_\_\_Brakes released before car stops  
 \_\_\_Takes more than 50' before stopping
- BAD (10)**  
 \_\_\_Two under FAIR  
 \_\_\_Swerves considerably (abrupt change of direction)
- DISQUALIFIED**  
 \_\_\_Loses control of car

**BACKING**

- FAIR (4)**  
 \_\_\_Weaves back and forth  
 \_\_\_Backing over 10 MPH  
 \_\_\_Drives forward to straighten
- BAD (8)**  
 \_\_\_Opens door to look back  
 \_\_\_Bumps curb or scrapes tire(s) along curb  
 \_\_\_Fails to look back entire time  
 \_\_\_Uses mirror/camera (practical to look through rear window)  
 \_\_\_Backs over 20 MPH
- DISQUALIFIED**  
 \_\_\_Unable to back vehicle  
 \_\_\_Backs half or more of vehicle on wrong side of road  
 \_\_\_Never looks to rear or into mirror or camera  
 \_\_\_Jumps curb/backs two wheels off road

**MOTOR OPERATION/STARTING**

- FAIR (2)** S = STANDARD A = AUTOMATIC  
 \_\_\_Races engine-slips clutch (A/S)  
 \_\_\_Vehicle jumps when gears engaged (A/S)  
 \_\_\_Turns wheel to limit (squeal/grind power steering) (A/S)  
 \_\_\_Jerky start (A/S)  
 \_\_\_Tries to start engine in wrong gear (A/S)  
 \_\_\_Fails to release starter (A/S)  
 \_\_\_Does not depress/rides clutch (S)  
 \_\_\_Runs too long in low gear (S)  
 \_\_\_Clutch released in stopping (S)
- BAD (4)** S = STANDARD A = AUTOMATIC  
 \_\_\_Two under FAIR  
 \_\_\_Drives or repeatedly tries to start engine in wrong gear (A/S)  
 \_\_\_Stalls engine (A/S)  
 \_\_\_Location of controls unknown (A/S)  
 \_\_\_Emergency brake left on  
 \_\_\_Unnecessarily spins wheels in starting (A/S)  
 \_\_\_Unnecessarily changes gears (A/S)  
 \_\_\_Cannot coordinate brake/gas/clutch (A/S)  
 \_\_\_Coast downhill or around corners in neutral (S)

**LEFT & RIGHT TURN/LANE/SPEED**

- | LEFT        |                                     | RIGHT       |
|-------------|-------------------------------------|-------------|
| (1) (1) (1) | <b>FAIR</b>                         | (1) (1) (1) |
| ___ ___ ___ | Hesitant, indecisive                | ___ ___ ___ |
| ___ ___ ___ | Not properly positioned             | ___ ___ ___ |
| ___ ___ ___ | Brakes after turn begun             | ___ ___ ___ |
| ___ ___ ___ | Gears shifted while turning (S)     | ___ ___ ___ |
| ___ ___ ___ | Late getting into proper lane       | ___ ___ ___ |
| (2) (2) (2) | <b>BAD</b>                          | (2) (2) (2) |
| ___ ___ ___ | Crowds other cars getting into lane | ___ ___ ___ |
| ___ ___ ___ | Tires squeal                        | ___ ___ ___ |
| ___ ___ ___ | Stops unnecessarily                 | ___ ___ ___ |
- DISQUALIFIED**  
 \_\_\_Cuts across corner/vehicle leans or skids  
 \_\_\_More than half of vehicle on wrong side of the road (before or after turn begun)

**LEFT & RIGHT TURN SIGNAL**

- | LEFT        |                             | RIGHT       |
|-------------|-----------------------------|-------------|
| (2) (2) (2) | <b>FAIR</b>                 | (2) (2) (2) |
| ___ ___ ___ | Given/Changed 50-100 ft.    | ___ ___ ___ |
| ___ ___ ___ | Hand signal not clear       | ___ ___ ___ |
| ___ ___ ___ | Hand signal while turning   | ___ ___ ___ |
| (4) (4) (4) | <b>BAD</b>                  | (4) (4) (4) |
| ___ ___ ___ | Two under FAIR              | ___ ___ ___ |
| ___ ___ ___ | Given/Changed less than 50' | ___ ___ ___ |
| ___ ___ ___ | Wrong signal given          | ___ ___ ___ |
| ___ ___ ___ | Signal not discontinued     | ___ ___ ___ |
| ___ ___ ___ | No signal                   | ___ ___ ___ |
- DISQUALIFIED**  
 \_\_\_No signal (traffic/pedestrian affected)  
 \_\_\_Began less than one car length (traffic pedestrian affected)

**FOLLOWING**

- BAD (4)**  
 \_\_\_Following too closely for existing traffic

**TURNABOUT****FAIR (4)**

- No signal given before starting maneuver
- Scrapes tires or bumps curb (touching curb is permitted)
- Fails to look both ways before moving (one time)

**BAD (8)**

- Blocks traffic-approaching cars must wait
- Backs more than once unless street is less than '30 wide
- Fails to look both ways before moving (two or more times)

**DISQUALIFIED**

- Backs or drives tire(s) up and over curb or sidewalk
- Makes turn (traffic/pedestrian affected)
- Refusal or is unable to complete maneuver
- Half or more of vehicle off road when no curb is present

**STOP SIGNS****(2) (2) FAIR**

- Sudden braking
- Stops at wrong place

**(4) (4) BAD**

- Two under FAIR
- Fails to look in both directions before starting
- Blocks crosswalk (traffic/pedestrian not affected)

**DISQUALIFIED**

- Does not come to a complete stop
- Blocks crosswalk (vehicle/pedestrian affected)
- Interferes with traffic on cross street (intersection)

**OVERTAKING/BEING OVERTAKEN****FAIR (1) O = OVERTAKING BO = BEING OVERTAKEN**

- Acceleration slow, hesitant (O)
- Merging into lane too sharply (O)
- Follows at low speed (other vehicle should be overtaken) (O)
- Speed not decreased while being overtaken (BO)

**BAD (2)**

- No signal with horn while overtaking (O)
- Speed increased (BO)
- Fails to give right of way on signal (BO)

**DISQUALIFIED**

- Forces overtaking-car off road/to curb/to stop (O)
- Overtakes in intersection (O)
- No signal pulling out of lane (traffic affected) (O)

**ATTENTION****FAIR (3)**

- Calls attention to unrelated things/details
- Fails to follow instructions

**BAD (6)**

- Looks away from road unnecessarily

**POSTURE****FAIR (2)**

- Elbow out of window
- Unnecessary one-hand driving

**BAD (4)**

- Seat too far back to permit good brake pedal pressure
- Seat too low - looks through steering wheel
- Slouches low in seat

**APPROACH TO INTERSECTION/CORNER****(1) (1) FAIR**

- Speed not decreased
- Brakes after entering intersection

**(2) (2) BAD**

- Stop has to be made in intersection
- Decreases speed but fails to look in all directions

**DISQUALIFIED**

- Changes lane while in intersection

**YIELD/RIGHT OF WAY****FAIR (1)**

- Does not look for possible danger (vehicle/pedestrians)

**DISQUALIFIED**

- Others forced to stop/slow down because of failure to yield (vehicle/pedestrian affected)

**TRAFFIC LIGHTS****(1) (1) FAIR**

- Does not attempt to slow down on yellow
- Stops suddenly on red
- Fails to start promptly on green

**(2) (2) BAD**

- Two under FAIR
- Enters or blocks crosswalk (veh/ped not affected)
- Stops unnecessarily on green light
- Fails to look in both dir. (right turn on red)
- Fails to look in both dir. (left turn on 1-way st. on red)

**DISQUALIFIED**

- Intersection illegally entered on red
- Fails to stop before right turn on red
- Fails to stop before left turn on red light onto one way street
- Blocks crosswalk (vehicle/pedestrian affected)
- Failed to stop/light inoperable (rules for 4-way stop apply)

**KEEPING IN LANE****FAIR (2)**

- No signal given when changing lanes

**BAD (4)**

- Changes lanes unnecessarily
- Straddles lanes

**DISQUALIFIED**

- Drives on wrong side of road
- No signal changing lanes (traffic affected)

**HORN****FAIR (1)**

- Blasts rather than beeps at pedestrians
- Uses horn for signaling friends

**BAD (2)**

- Blows horn going through intersections
- Blows horn to hurry other drivers



## Interpreter Affidavit

Customer's Name: \_\_\_\_\_

Customer's DL#: \_\_\_\_\_

Examiner's Name: \_\_\_\_\_

Interpreter's Name: \_\_\_\_\_

Interpreter's Identification: \_\_\_\_\_

Language Interpreted: \_\_\_\_\_

Type of Exam(s) being interpreted: \_\_\_\_\_

Date of Exam being interpreted: \_\_\_\_\_ Office Number: \_\_\_\_\_

I swear that I will act as the interpreter for this examination and provide a true and accurate interpretation of the examination questions and the answers provided by the customer.

I am at least 18 years of age.

I will not provide answers, coach or assist the person taking the examination in any way.

I understand that coaching or supplying answers will result in the termination of the examination.

I also understand that coaching or supplying answers will prevent me from interpreting in any examination office in the future.

\_\_\_\_\_  
Interpreter's Signature

\_\_\_\_\_  
Examiner's Signature

Note: This signed form must be scanned as part of the customer's application.

**FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES  
REPORT OF EYE EXAM**

I hereby authorize (**PRINT DOCTOR'S FULL NAME**) \_\_\_\_\_ to give me this vision examination and to submit this report and recommendations to the Division of Motorist Services.

\_\_\_\_\_  
Applicant's Signature Florida Driver License Number

\_\_\_\_\_  
Applicant's Address, Street & Number City and State

**CERTIFICATION OF EYE SPECIALIST**

**I AM LICENSED TO PRACTICE OPHTHALMOLOGY/OPTOMETRY AND CERTIFY THAT I HAVE PERSONALLY EXAMINED THE EYES OF**

Print Patient's Name \_\_\_\_\_ Date of Birth \_\_\_\_\_

OPTOMETRIST  
 OPHTHALMOLOGIST

**THAT A TRUE RECORD OF THIS EXAMINATION APPEARS ON THE FORM BELOW, AND THAT SAID APPLICANT SIGNED ABOVE IN MY PRESENCE.**

Exam Date \_\_\_\_\_ Signature of Eye Specialist \_\_\_\_\_  
Physician License Number \_\_\_\_\_ Business Address \_\_\_\_\_  
Form not valid after (1) year from exam date Telephone \_\_\_\_\_

Date Corrective Lenses Issued \_\_\_\_\_ Signature of Eye Associate \_\_\_\_\_  
Business Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_

DISTANT VISION ONLY	RIGHT EYE	LEFT EYE	BOTH EYES
VISION UNCORRECTED	20/	20/	20/
VISION WITH BEST CORRECTION	20/	20/	20/

- |    |                          |                          |   |
|----|--------------------------|--------------------------|---|
|    | <b>YES</b>               | <b>NO</b>                |   |
| 1. | <input type="checkbox"/> | <input type="checkbox"/> | Will lenses improve applicant's acuity? Are they being fitted? _____  |
| 2. | <input type="checkbox"/> | <input type="checkbox"/> | In your opinion, would the wearing of corrective lenses be advisable for driving purposes?<br>If not, why? _____  |
| 3. | <input type="checkbox"/> | <input type="checkbox"/> | Is there evidence of eye disease or injury that would affect the driving ability? If so, please describe: _____<br>Can it be compensated for? _____   |
| 4. | <input type="checkbox"/> | <input type="checkbox"/> | In your opinion, should the patient be restricted to "Daylight Driving Only?"   |
| 5. | <input type="checkbox"/> | <input type="checkbox"/> | Do you recommend that a driver license be denied on visual grounds? If so, upon what grounds? _____   |
| 6. | <input type="checkbox"/> | <input type="checkbox"/> | Does applicant meet the required minimum of 130 degrees of uninterrupted horizontal visual field? If not, a charted field must be submitted. Either a Goldmann kinetic III-4e or equivalent or a Humphrey Esterman program is required. Static automated 30 degree and 60 degree fields are NOT acceptable. |
| 7. | <input type="checkbox"/> | <input type="checkbox"/> | Should patient have vision checked more frequently than the driver license renewal period?<br>If yes, medical reason must be listed: _____ How often? _____   |
| 8. | <input type="checkbox"/> | <input type="checkbox"/> | On the basis of your clinical observation, visual or otherwise, do you recommend applicant be required to pass a driving test? If yes, please explain: _____  |

**\*NOTE: IF THERE IS ANY IMPROVEMENT WITHOUT ADVERSELY AFFECTING THE PATIENT'S CONDITION, CORRECTIVE LENSES MUST BE WORN.**

**ATTENTION ALL APPLICANTS**

**ALL APPLICANTS WHO FAIL TO MEET MINIMUM VISION REQUIREMENTS MUST TAKE THIS FORM TO THEIR EYE SPECIALIST, AFTER IT IS COMPLETED, THIS FORM MUST BE RETURNED TO THE DRIVER LICENSE EXAMINING OFFICE.**

**INSTRUCTIONS TO THE EYE SPECIALIST**

All applicants for licenses and persons being re-examined are given simple vision tests by driver license examiners; but when more accurate measurements are needed when an improvement in vision would add to safety, or when unusual eye defects are found, the person is asked to visit an eye specialist. A report from such specialist is particularly valuable if the fitness of a driver is questioned in court, or following a crash. In some cases, examinations by more than one specialist are requested as stated in the next paragraph.

A difference of more than 20 points between the eye specialist's readings and the examiner's readings will warrant referral to a second eye specialist ONLY if that difference results in the applicant not meeting the minimum vision standards for licensing in Florida. No recommendations or suggestions as to which specialist to visit are given by the driver license examiners. Only reports from licensed eye specialists will be acceptable. The eye specialist assumes no responsibility in making this report other than that of representing the facts.

**FLORIDA MINIMUM VISUAL STANDARDS FOR LICENSING**

**All drivers are required to have the best possible vision**  
20/50..... Or worse in either eye with or without corrective lenses are referred to an eye specialist for possible improvement.  
20/70..... In either eye, or both eyes together may pass with or without corrective lenses, if vision cannot be improved; however if one eye is blind or 20/200 or worse, the other eye must be 20/40 or better.  
130 degrees...Minimum acceptable field of vision.  
The use of telescopic lenses to meet visual standards is not recognized in Florida.  
HSMV 72010 S (Rev 6/11), 15A-1.013, F.A.C.

**Florida Department of Highway Safety & Motor Vehicles  
Bureau of Administrative Reviews**

Date received by B.A.R.
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**APPLICATION FOR ADMINISTRATIVE HEARING**

Full Name \_\_\_\_\_ Date of Birth \_\_\_\_\_  
 First Middle or Maiden Last Month/Day/Year

Residence Address \_\_\_\_\_  
 Street City State Zip Code

Mailing Address (if different from above) \_\_\_\_\_ State \_\_\_\_\_

Driver License # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ State \_\_\_\_\_

Applicant's Telephone Number: Residence (\_\_\_\_\_) \_\_\_\_\_ Work (\_\_\_\_\_) \_\_\_\_\_

REASON SUSPENDED OR REVOKED \_\_\_\_\_

WHY DO YOU NEED TO DRIVE? \_\_\_\_\_

I acknowledge that to knowingly make a false statement or conceal a material fact may result in the denial of a hardship license.

\_\_\_\_\_  
 Signature of Applicant Date

After completion of this form, you may appear or call one of the following Bureau of Administrative Reviews offices for a hearing.

**NOTE: A \$12.00 filing fee must be collected prior to scheduling your hardship hearing.  
 A \$25.00 filing fee must be collected prior to scheduling your administrative review.**

Office Hours Monday through Friday 8:00 a.m. to 5:00 p.m.					
Clearwater	4585 140th Avenue North, Suite 1002	(727) 507-4405	Melbourne	2325 S. Babcock Street	(321) 984-4910
Daytona Beach	995 Orange Avenue	(386) 254-3912	Miami	7795 W. Flagler Street, Suite 82C	(305) 265-3011
Ft. Myers	4048 Evans Avenue, Suite 305	(239) 278-7421	Orlando	4101 Clarcona-Ocoee Road, Suite #152	(407) 445-5581
Ft. Pierce	3220 S. Federal Highway, Suite 8	(772) 468-4050	Panama City	237-A W. 15th Street (Lincoln Center)	(850) 872-7745
Gainesville	2815 N.W. 13th Street, Suite 302	(352) 955-2030	Pensacola	100 Stumpfield Road	(850) 494-5728
Jacksonville	7439 Wilson Boulevard	(904) 777-2132	Tallahassee	2900 Apalachee Parkway, Room B-141, MS 85	(850) 617-2449
Lantana	1299 W. Lantana Road	(561) 540-1191	Tampa	2814 East Hillsborough Avenue	(813) 276-5795
Lauderdale Lake	3718-3 W. Oakland Park Boulevard	(954) 677-5801	Winter Springs	290 East State Road 434	(407) 327-6678

**FLORIDA DRIVER IMPROVEMENT PROGRAM**

Florida Law requires that anyone requesting a hearing for possible early reinstatement of a suspended and/or revoked driving privilege prior to the expiration of such suspension and/or revocation period must enroll in, or complete, the appropriate Driver Improvement or Alcohol/Substance Abuse Education course. **You may call the closest office listed above for your school and other hearing requirements.**

**YOU MUST PRESENT THE ITEMS MARKED BELOW AT THE TIME OF THE HEARING:**

**COMPLETION** the Advanced Driver Improvement (ADI) **OR** Driving Under the Influence (DUI) School (*CHECK ONE*)

**ENROLLMENT** in Advanced Driver Improvement (ADI) **OR** Driving Under the Influence (DUI) School (*CHECK ONE*)  
 If this school is not completed within 90 days of enrollment, your driving privilege will be cancelled.

Other: \_\_\_\_\_

**\*\* If eligible, upon request, a telephone hearing may be available which will be determined by the hearing officer. Please call your nearest office listed above.**