

DRIVER LICENSE

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A. Referral Procedure

The 1997 Florida Legislature enacted requirements that school districts report to the [Department of Highway Safety and Motor Vehicles](#) (DHSMV) the legal name, date of birth, sex, and Social Security number of each student who fails to comply with attendance requirements as stated in Florida Statutes Section [322.091](#). The DHSMV may not issue a driver license or learner license, and may suspend any previously issued driver license or learner license, for minors (students ages 14 to 18) who accumulate 15 unexcused absences (excluding out-of-school suspension) within 90 calendar days, or who withdrew from school with one of the following dropout withdrawal codes.

DNE	W05
W13	W15
W18	W21
W22	W23

See the [Withdrawal Codes](#) definitions at the end of this section (page 7).

B. Eligibility Requirements for Driving Privileges

A minor is not eligible for driving privileges unless that minor meets any one of the following conditions:

- is enrolled in a public school, non-public school, or home education program and satisfies relevant attendance requirements
- has received a high school diploma, a high school equivalency diploma, a special diploma, or a certificate of high school completion
- is enrolled in a study course in preparation for the General Education Diploma (GED) and satisfies relevant attendance requirements
- is enrolled in other educational activities approved by the district school board and satisfies relevant attendance requirements
- has received a hardship waiver

C. Process for Transmitting Records to Department of Highway Safety and Motor Vehicles

The following are recommended responsibilities for individual schools and the Department of Highway Safety and Motor Vehicles (DHSMV):

1. Individual Schools' Responsibilities

- a) Schools must maintain up-to-date and accurate attendance through CrossPointe ensuring that all absences and withdrawal codes are reported correctly.
- b) Report STD_C00082 "List of Potential Students Meeting the DHSMV Driver License Suspension Criteria" is **updated daily** by MIS (Management Information System) identifying students when they meet the mentioned criteria. Report STD_C00086 is the accompanying mailing labels for this list.
- c) The DHSMV Status Code "1" (Out of Compliance) on STD_C00082MIS will be updated daily on students who have met criteria for license suspension.
- d) Report STD_C00082 must be reviewed by the school administrator and the attendance clerk for accuracy and the necessary corrections must be made in CrossPointe (page X502) and the code "1" removed if appropriate.
- e) If a determination has been made to submit the record to the DHSMV, the attendance clerk must then update the DHSMV status in transaction CrossPointe (page X502) with an "R" (Ready to Transmit record to the DHSMV). The school should have notified parents of the excessive absences prior to the student reaching 15 unexcused absences.
- f) After each transmission to DHSMV, report STD_C00176 "Records Transmitted to the Department of Highway Safety and Motor Vehicles" should be reviewed by the school for accuracy and retained for school records. In addition, MIS will update transaction STDD field "DHSMV status" with an "S" (record has been sent to DHSMV), and field "Date Record Sent to DHSMV" with the date the record was transmitted.

Note: Transmission to the DHSMV will occur on a daily basis by MIS.

- g) Report STD_C00005 "Students Pending Action for Department of Highway Safety and Motor Vehicles License Suspensions" is available on CrossPointe for monitoring purposes. This report is a year-to-date report of identified students who have met the criteria to be transmitted to the DHSMV.

- h) Report STD_C00006 “Students Sent to the Department of Highway Safety and Motor Vehicles” is available on CrossPointe for monitoring purposes. This report identifies the students who were sent to the DHSMV with their current DHSMV code, and the last date the record was transmitted. This is a year-to-date report.

For additional information, refer to the Technical Assistance Paper provided to schools by MIS:
[CrossPointe TAP ATT 2010-005 – How to Process DHSMV Records.](#)

2. Department of Highway Safety and Motor Vehicles Responsibilities

- a) The DHSMV shall send a letter to notify each minor for whom the department has received notification of non-compliance with attendance requirements, and to the minor’s parent/guardian, of the department’s intent to suspend the minor’s driving privileges. (See sample letter – [Notice of Intent to Suspend/Withhold Eligibility for Licensure.](#))
- b) The minor, or the parent/guardian, has 15 calendar days after the date of receipt of notice to provide proof of compliance or to request a hardship waiver. For further details, see the “Hardship Waiver and Appeal Process” – section D below.
- c) Twenty (20) days after date of issuance of the notice, the DHSMV shall suspend the minor’s driver license or learner license, or record the name of each minor who does not possess a driver license or learner license, unless the minor has provided the DHSMV with verification of compliance or the appropriate school official has provided verification of a request for a waiver hearing.
- d) Upon notification of the outcome of the hardship waiver hearing, the DHSMV shall suspend the driver license of a minor who was denied a hardship waiver, or record the name of the minor who does not possess a driver license and who was denied a hardship waiver.
- e) The DHSMV will send the Order of Suspension letter to all students whose driving privileges have been suspended. (See sample letter – [Order of Suspension.](#))
- f) The DHSMV shall report quarterly to each school district the names of all students whose driving privileges have been suspended.

D. Hardship Waiver and Appeal Process

- 1. A minor, or the parent/guardian, has 15 calendar days after the date of receipt of the Notice of Intent to Suspend/Withhold Eligibility for Licensure letter (*sample in section C-2 above*), from the DHSMV to request a hardship waiver hearing before the school principal or designee.
- 2. The school designee receiving the request shall notify the DHSMV (electronically) of the request for a waiver hearing within 24 hours after receiving the request. Field DHSMV code must be updated with a “2” (Notice of Application for Waiver), and the DHSMV status must be updated with an “R” (Ready to Transmit Record to DHSMV) in transaction STDD. The hearing must be conducted within 30 calendar days after the principal/designee receives the request.
- 3. The principal/designee shall waive the request for any minor under the school’s jurisdiction for whom a personal or family hardship requires that the minor have a driver license for their own (or their family’s) employment or medical care. The minor or parent/guardian may present other evidence pertaining to the need for a hardship waiver. The principal/designee shall take into consideration the recommendations of teachers, school counselors, academic advisors, or other school officials before issuing a hardship waiver.

4. The school principal/designee shall notify the DHSMV (electronically) of the outcome of the hardship waiver hearing within 24 hours after conducting the hearing. Field DHSMV code must be updated with a “3” if approved (Disposition of Waiver – Approved), or a “4” if not approved (Disposition of Waiver – Not Approved), and the DHSMV status must be updated with an “R” (Ready to Transmit Record to DHSMV) in transaction STDD. School officials shall also notify the district school board of the outcome of the hearing.
5. Schools may approve the waiver request for a specified period of time. It is recommended that hardship waivers be reviewed after 90 calendar days following the date of approval. At that time, the district may decide to extend the approval of the waiver and take no action with DHSMV. If the district decides to withdraw approval of the waiver, the district must inform the student that the waiver has been rescinded and electronically notify DHSMV of this decision. This will generate a Notice of Intent to Suspend/Withhold Eligibility for Licensure letter (*sample in section C-2 above*) to the student.

E. Verification of Compliance and Reinstatement Process PRIOR to Effective Date of Suspension

There is a time limit (20 calendar days from the date on the notice) for school districts to electronically transmit the transaction code to cancel the Notice of Intent to Suspend/Withhold Eligibility for Licensure for a student whose name was reported in error. If the district reported the licensed minor in error, field DHSMV code must be updated with a “5” (Cancel Intent to Suspend) and the DHSMV status must be updated with an “R” (Ready to Transmit Record to DHSMV) in transaction STDD. After the 20-day time frame, attempts to transmit the transaction code will be electronically transmitted back to the district as an error. Once the student’s license has been suspended, only written correspondence from the school will be accepted.

F. Verification of Compliance and Reinstatement Process AFTER Effective Date of Suspension

The school principal/designee shall provide a minor with written verification for reinstatement if it is determined that the student has been in compliance with attendance for 30 days prior to request for verification, using the [Student Compliance with Attendance Requirements for Reinstatement of Driving Privilege/Eligibility for Licensure](#) (DHSMV form 72870). For students enrolled in Home Education, the [Student Compliance with Enrollment Requirements for a Home Education Program](#) (DHSMV form 72871) is to be used. The student must submit the completed compliance reinstatement form and the \$45 reinstatement fee to the local driver license office for reinstatement of their driver license.

Upon receiving written verification of compliance, the DHSMV shall reinstate the minor’s driving privilege. Thereafter, if the school district determines that the minor is not in compliance with attendance requirements, the DHSMV shall suspend the minor’s driving privilege until the minor is 18 years of age, or otherwise satisfies the “Eligibility Requirements for Driving Privileges” as stated in Florida Statute [322.091](#) attendance requirements. For additional information see the “Eligibility Requirements for Driving Privileges” – section B above.

If the district reported the minor in error, and it is after the 20-day time frame, a letter must be submitted to the DHSMV. No reinstatement fee is required. The letter must be on school letterhead, and it does not have to be notarized. (See sample letter – [Students’ Names Reported to DHSMV in Error](#).)

If an error was made on a non-licensed student, the school may not electronically transmit the transaction code for reporting a student in error or to cancel the Notice of Intent to Suspend/Withhold Eligibility for Licensure letter (*sample in section C-2 above*). For these cases, the school must send a letter (sample in above paragraph) on school letterhead to the DHSMV.

G. Department of Highway Safety and Motor Vehicles Codes

Blank No Action Needed or Not Applicable

- 1 Student out of Compliance, 15 unexcused absences occurred within 90 calendar days, **OR** the student has withdrawn as a dropout.
- 2 Notice of Application for Waiver – A hardship waiver hearing was requested 15 calendar days after the date of receipt of the Notice of Intent to Suspend/Withhold Eligibility for Licensure letter (*sample in section C-2 above*) was received.
- 3 Disposition of Waiver – Approved, the DHSMV must be notified within 24 hours after the hearing.
- 4 Disposition of Waiver – Not Approved, the DHSMV must be notified within 24 hours after the hearing.
- 5 Cancel Intent to Suspend – The DHSMV must be notified when a student who received a Notice of Intent to Suspend/Withhold Eligibility for Licensure letter (*sample in section C-2 above*) is in compliance within 20 days of the date of notice, or if a school sent the student's name in error.

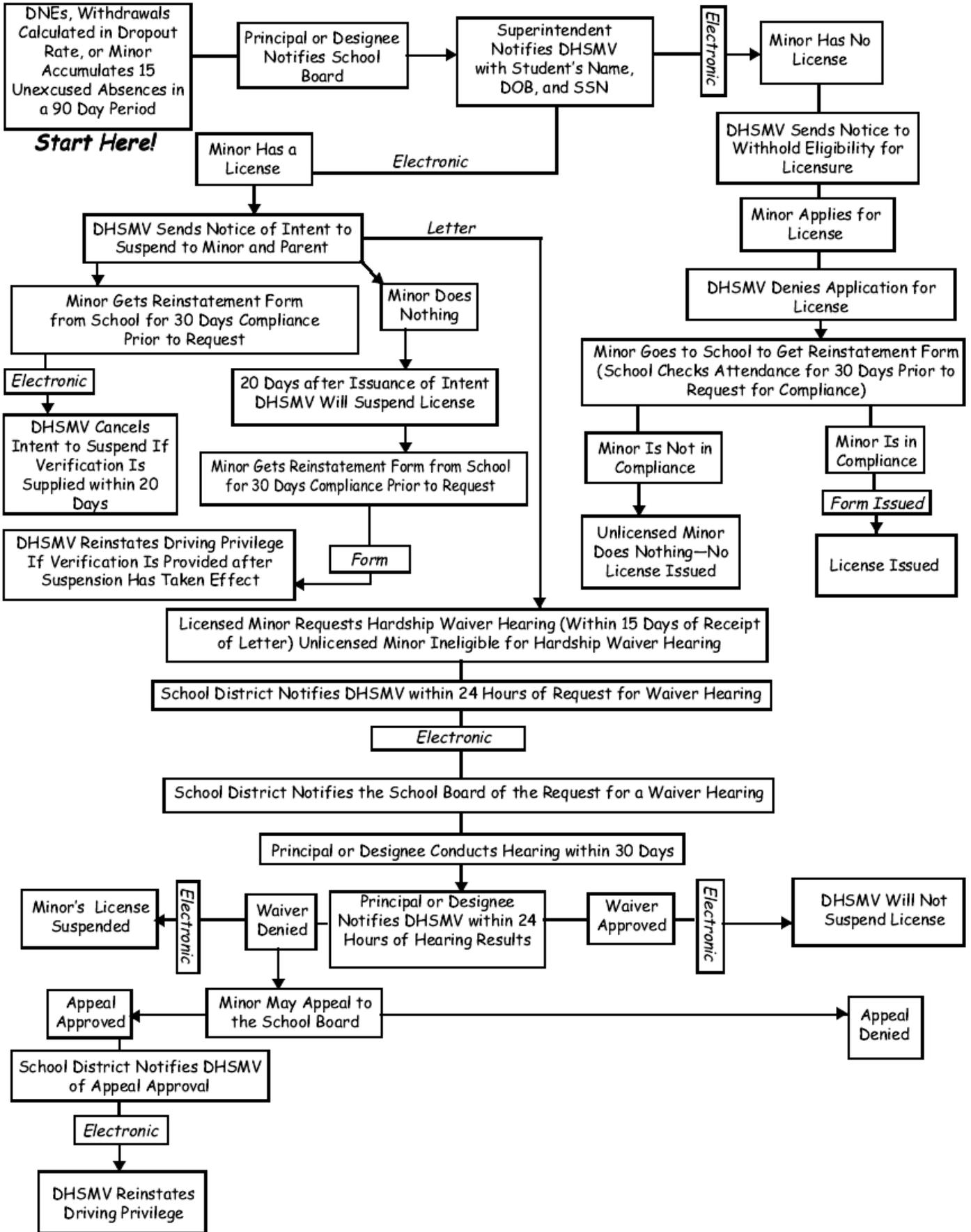
Note: This code cannot be used after the suspension order has been posted to the DHSMV's record.

H. Department of Highway Safety and Motor Vehicles Status

Blank No Action Needed or Not Applicable

- R** Ready to Transmit Record to DHSMV
- S** Record has been Sent to DHSMV

School Attendance and Driver Licenses for Minors Flow Chart



Withdrawal Codes

DNE any PK-12 student who was expected to attend a school but **did not enter** as expected for unknown reasons

Note: Withdrawal code **DNE** should be considered as a temporary code until the educational status of the student is confirmed. However, if the educational status of a student is not confirmed the **DNE** should remain. Students under the compulsory attendance age coded **DNE** should be changed to **W25**.

W05 any student age 16 or older who leaves school voluntarily with no intention of returning

W13 any PK-12 student withdrawn from school due to court action (**Contact Student Accounting Services before using this code.**)

W15 any PK-12 student who is withdrawn from school due to non-attendance

Note: Use this code for students, ages 6-18, only after procedures are followed for students in violation of compulsory attendance. (**Contact Student Accounting Services before using this code.**)

W18 any PK-12 student who withdraws from school due to medical reasons (**Contact Student Accounting Services before using this code.**)

W21 any PK-12 student who is withdrawn from school due to being expelled

W22 any PK-12 student whose whereabouts is unknown

W23 any PK-12 student who withdraws from school for any reason other than **W01–W22** or **W24–W27**. (**Contact Student Accounting Services before using this code.**)

For a complete listing of the attendance and withdrawal codes, refer to the [2009-2010 Student Attendance Manual](#) prepared by the Student Accounting Services Office.

For additional information regarding driver license procedures, contact Student Services, ext. 20513.