

By the Committee on Transportation and Senator Ostalkiewicz

306-2049-98

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A bill to be entitled  
An act relating to highway safety; amending s.  
318.18, F.S.; rescinding the fine for speeds  
exceeding the limit by 1-5 m.p.h. and replacing  
the fine with a warning; providing that fines  
for construction zone speed violations shall be  
doubled only under certain circumstances;  
amending s. 627.733, F.S.; deleting a provision  
for revoking the driver's license of an owner  
or registrant of a motor vehicle who does not  
provide required security for that vehicle;  
providing an effective date.

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

Section 1. Subsection (3) of section 318.18, Florida  
Statutes, is amended to read:

318.18 Amount of civil penalties.--The penalties  
required for a noncriminal disposition pursuant to s. 318.14  
are as follows:

(3)(a) Except as otherwise provided in this section,  
\$60 for all moving violations not requiring a mandatory  
appearance.

(b) For moving violations involving unlawful speed,  
the fines are as follows:

For speed exceeding the limit by:	Fine:
<u>1-5 m.p.h.</u> .....	<u>Warning</u>
<u>6-9</u> <del>1-9</del> m.p.h.....	\$ 25
10-14 m.p.h.....	\$100
15-19 m.p.h.....	\$125

1 20-29 m.p.h.....\$150  
2 30 m.p.h. and above.....\$250

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4 (c) Notwithstanding paragraph (b), a person cited for  
5 exceeding the speed limit by up to 5 m.p.h. in a legally  
6 posted school zone will be fined \$50. A person exceeding the  
7 speed limit in a school zone will be assessed a fine double  
8 the amount listed in paragraph (b).

9 (d) A person cited for exceeding the speed limit in or  
10 a posted construction zone will be assessed a fine double the  
11 amount listed in paragraph (b). The fine shall be doubled for  
12 construction zone violations only if construction personnel  
13 are present or operating equipment on the road or immediately  
14 adjacent to the road under construction.

15 (e)~~(d)~~ If a violation of s. 316.1301 or s. 316.1303  
16 results in an injury to the pedestrian or damage to the  
17 property of the pedestrian, an additional fine of up to \$250  
18 must be assessed. This amount must be distributed pursuant to  
19 s. 318.21.

20 Section 2. Subsections (6) and (7) of section 627.733,  
21 Florida Statutes, are amended to read:

22 627.733 Required security.--

23 (6) The Department of Highway Safety and Motor  
24 Vehicles shall suspend, after due notice and an opportunity to  
25 be heard, the registration ~~and driver's license~~ of any owner  
26 or registrant of a motor vehicle with respect to which  
27 security is required under this section and s. 324.022:

28 (a) Upon its records showing that the owner or  
29 registrant of such motor vehicle did not have in full force  
30 and effect when required security complying with the terms of  
31 this section; or

1           (b) Upon notification by the insurer to the Department  
2 of Highway Safety and Motor Vehicles, in a form approved by  
3 the department, of cancellation or termination of the required  
4 security.

5           (7)(a) Any operator or owner whose ~~driver's license or~~  
6 registration has been suspended pursuant to this section or s.  
7 316.646 may effect its reinstatement upon compliance with the  
8 requirements of this section and upon payment to the  
9 Department of Highway Safety and Motor Vehicles of a  
10 nonrefundable reinstatement fee of \$150 for the first  
11 reinstatement. Such reinstatement fee shall be \$250 for the  
12 second reinstatement and \$500 for each subsequent  
13 reinstatement during the 3 years following the first  
14 reinstatement. Any person reinstating her or his insurance  
15 under this subsection must also secure noncancelable coverage  
16 as described in s. 627.7275(2) and present to the appropriate  
17 person proof that the coverage is in force on a form  
18 promulgated by the Department of Highway Safety and Motor  
19 Vehicles, such proof to be maintained for 2 years. If the  
20 person does not have a second reinstatement within 3 years  
21 after her or his initial reinstatement, the reinstatement fee  
22 shall be \$150 for the first reinstatement after that 3-year  
23 period. ~~In the event that a person's license and registration~~  
24 ~~are suspended pursuant to this section or s. 316.646, only one~~  
25 ~~reinstatement fee shall be paid to reinstate the license and~~  
26 ~~the registration.~~ All fees shall be collected by the  
27 Department of Highway Safety and Motor Vehicles at the time of  
28 reinstatement. The Department of Highway Safety and Motor  
29 Vehicles shall issue proper receipts for such fees and shall  
30 promptly deposit those fees in the Highway Safety Operating  
31 Trust Fund. One-third of the fee collected under this

1 subsection shall be distributed from the Highway Safety  
2 Operating Trust Fund to the local government entity or state  
3 agency which employed the law enforcement officer or the  
4 recovery agent who seizes a license plate pursuant to s.  
5 324.201 or to s. 324.202. Such funds may be used by the local  
6 government entity or state agency for any authorized purpose.

7 (b) One-third of the fee collected for the seizure of  
8 a license plate by a recovery agent shall be paid to the  
9 recovery agent, and the balance shall remain in the Highway  
10 Safety Operating Trust Fund and be distributed pursuant to s.  
11 321.245.

12 Section 3. This act shall take effect July 1, 1998.

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14 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
15 COMMITTEE SUBSTITUTE FOR  
16 SB 1804

17 The committee substitute provides that speed violation fines  
18 will be doubled for construction zone violations only if  
19 construction personnel are present or operating equipment on  
the road or immediately adjacent to the road under  
construction.

20 The committee substitute also provides that existing penalties  
21 for exceeding the posted speed limit in a school zone remain  
in effect.