

By Senator McKay

26-254-98

1 A bill to be entitled
2 An act relating to driver's licenses; amending
3 s. 322.18, F.S.; prohibiting the Department of
4 Highway Safety and Motor Vehicles from renewing
5 a driver's license if its records show that the
6 driver is the subject of an outstanding warrant
7 for worthless checks; directing the Department
8 of Law Enforcement to provide the Department of
9 Highway Safety and Motor Vehicles with
10 electronic access; providing circumstances for
11 renewal of license; providing for
12 confidentiality; providing for a fee; providing
13 an effective date.
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15 WHEREAS, on an average day in the United States,
16 approximately 30,000 checks with a total value between \$12
17 million and \$18 million are returned for insufficient funds,
18 and
19 WHEREAS, business owners spend millions of dollars
20 trying to collect on worthless checks while trustworthy
21 consumers absorb the costs of worthless checks that are passed
22 on to them by the businesses that are suffering because of
23 untrustworthy customers, and
24 WHEREAS, recent studies show that 5 percent of the
25 people who issue worthless checks do so intentionally, and
26 WHEREAS, the Legislature intends to protect the public
27 from the negative effects of the passing of worthless bank
28 checks, NOW, THEREFORE,
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30 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Subsection (10) is added to section 322.18,
2 Florida Statutes, to read:

3 322.18 Original applications, licenses, and renewals;
4 expiration of licenses; delinquent licenses.--

5 (10)(a) Notwithstanding any provision of law to the
6 contrary, no person shall be issued a renewal of a driver's
7 license if the department's records reveal that the person has
8 an outstanding warrant for passing a worthless bank check in
9 violation of s. 832.05.

10 (b) The Department of Law Enforcement shall provide
11 electronic access to the department for the purpose of
12 identifying persons who are the subject of an outstanding
13 warrant or capias for passing worthless bank checks.

14 (c) Prior to issuing a renewal of a driver's license,
15 the department shall make an electronic inquiry into the
16 Department of Law Enforcement's records, using the applicant's
17 driver's license number, to determine whether the applicant
18 has an outstanding warrant or capias for passing worthless
19 bank checks. If the Department of Law Enforcement's records
20 indicate that an applicant for a driver's license renewal is
21 the subject of an outstanding warrant or capias for a
22 worthless bank check, the department shall not renew the
23 driver's license. The applicant is responsible for contacting
24 the sheriff's office that entered the warrant to satisfy its
25 conditions. Once the warrant is executed and the warrant entry
26 is canceled from the Department of Law Enforcement's records
27 by the entering agency, the applicant shall pay the department
28 an additional \$10 fee prior to the department renewing the
29 applicant's driver's license. Such fees shall be placed in
30 the Highway Safety Operating Trust Fund. The department shall

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1 inform an applicant who is subject to this paragraph of the
2 terms of this paragraph.

3 (d) Information provided under paragraph (a) shall not
4 be part of a person's driver history.

5 Section 2. This act shall take effect October 1, 1998.

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SENATE SUMMARY

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10 Prohibits the Department of Highway Safety and Motor
11 Vehicles from renewing a driver's license if its records
12 show that the driver is the subject of an outstanding
13 warrant for worthless checks. Directs the Department of
14 Law Enforcement to provide the Department of Highway
15 Safety and Motor Vehicles with electronic access.
16 Provides a fee of \$10 to clear such warrants prior to
17 license renewal. Provides for confidentiality.

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