

By the Committee on Transportation and Senator McKay

306-583-98

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) The Department of Highway Safety and Motor  
15 Vehicles and the Florida Department of Law Enforcement shall  
16 develop and implement a plan to ensure the identification of  
17 persons who are the subject of an outstanding warrant or  
18 capias for passing worthless bank checks and the  
19 identification of these persons' driver's license records. If  
20 the Department of Law Enforcement's records indicate that an  
21 applicant for a driver's license renewal is the subject of an  
22 outstanding warrant or capias for a worthless bank check, the  
23 department shall not renew the driver's license. The  
24 applicant is responsible for contacting the sheriff's office  
25 that entered the warrant to satisfy its conditions. Once the  
26 warrant is executed and the warrant entry is canceled from the  
27 Department of Law Enforcement's records by the entering  
28 agency, the applicant shall pay the department an additional  
29 \$10 fee prior to the department renewing the applicant's  
30 driver's license. Such fees shall be placed in the Highway  
31 Safety Operating Trust Fund. The department shall inform an

1 applicant who is subject to this paragraph of the terms of  
2 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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7 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
8 COMMITTEE SUBSTITUTE FOR  
9 Senate Bill 190

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11 The CS directs the Department of Highway Safety and the  
12 Department of Law Enforcement to develop and implement a plan  
13 to ensure the identification of persons who are the subject of  
14 an outstanding warrant for passing worthless bank checks and  
15 the identification of these persons' driver's license records.

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