

By Senator Campbell

33-403A-98

1                                   A bill to be entitled  
2           An act relating to the driving records of  
3           employees; creating s. 322.71, F.S.; requiring  
4           employers to examine the driving records of  
5           certain prospective employees and periodically  
6           to examine the driving records of certain  
7           employees; providing a penalty for violations;  
8           providing a duty of the Department of Highway  
9           Safety and Motor Vehicles; providing an  
10          effective date.

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

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14           Section 1. Section 322.71, Florida Statutes, is  
15 created to read:

16           322.71 Employer to examine driving record of employees  
17 whose jobs entail frequent driving.--

18           (1) If the anticipated duties of a prospective  
19 employee entail the frequent operation of a motor vehicle in  
20 connection with the individual's employment, the employer must  
21 obtain from the Department of Highway Safety and Motor  
22 Vehicles a copy of the prospective employee's driving record  
23 and must examine that record before hiring the individual.

24           (2) Every employer who employs one or more individuals  
25 whose duties entail the frequent operation of a motor vehicle  
26 must biannually obtain from the Department of Highway Safety  
27 and Motor Vehicles, and must examine, the driving record of  
28 each such employee.

29           (3) An employer who does not obtain and examine the  
30 driving record of each of his or her prospective employees, as  
31 required under subsection (1), or of his or her employees

1 whose duties entail the frequent operation of a motor vehicle,  
2 as required under subsection (2), commits a misdemeanor of the  
3 first degree, punishable by fine only, in the amount of  
4 \$1,000.

5 (4) When a company or business seeks to register a  
6 motor vehicle in the name of the company or business, the  
7 Department of Highway Safety and Motor Vehicles must send to  
8 the registrant, along with the title information, information  
9 about the requirements of this section.

10 Section 2. This act shall take effect July 1, 1998.

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SENATE SUMMARY

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Requires employers to examine the driving records of prospective employees and employees who frequently operate motor vehicles in the course of their employment. Provides that the failure to examine such records is a first-degree misdemeanor, punishable by a fine in the amount of \$1,000. Requires the Department of Highway Safety and Motor Vehicles to send information about this requirement, together with title information, to companies and businesses that register motor vehicles in the business's name.