

By Representative Arnall

1 A bill to be entitled
2 An act relating to worthless checks; creating
3 s. 832.09, F.S.; providing for the suspension
4 of a driver's license with respect to certain
5 persons who do not fulfill an agreement for a
6 bad check diversion program or against whom a
7 warrant or capias is issued in a worthless
8 check case; amending s. 322.251, F.S.;
9 providing for notification; providing for
10 conditions for reinstatement; providing a fee;
11 directing the Department of Highway Safety and
12 Motor Vehicles and the Department of Law
13 Enforcement to develop and implement a plan;
14 providing an effective date.

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

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18 Section 1. Section 832.09, Florida Statutes, is
19 created to read:

20 832.09 Suspension of driver license after warrant or
21 capias is issued in worthless check case.--

22 (1) Any person who does not fulfill the agreements for
23 a bad check diversion program pursuant to s. 832.08 or who is
24 being prosecuted for passing a worthless check in violation of
25 s. 832.05, who fails to appear before the court and against
26 whom a warrant or capias for failure to appear is issued by
27 the court shall have his or her driver's license suspended or
28 revoked pursuant to s. 322.251.

29 (2) Within 5 working days after the issuance of a
30 warrant or capias for failure to appear the clerk of the court
31 in the county where the warrant or capias is issued, shall

1 notify the Department of Highway Safety and Motor Vehicles by
2 the most efficient method available of the action of the
3 court.

4 Section 2. Subsection (7) is added to section 322.251,
5 Florida Statutes, to read:

6 322.251 Notice of cancellation, suspension,
7 revocation, or disqualification of license.--

8 (7)(a) A person whose driving privilege is suspended
9 or revoked pursuant to s. 832.09 shall be notified, pursuant
10 to this section, and the notification shall direct the person
11 to surrender himself or herself to the sheriff who entered the
12 warrant to satisfy the conditions of the warrant. A person
13 whose driving privilege is suspended or revoked under this
14 subsection shall not have his or her driving privilege
15 reinstated for any reason other than:

16 1. Full payment of any restitution, court costs, and
17 fees incurred as a result of a warrant or capias being issued
18 pursuant to s. 832.09.

19 2. The cancellation of the warrant or capias from the
20 Department of Law Enforcement recorded by the entering agency.

21 3. The payment of an additional fee of \$10 to the
22 Department of Highway Safety and Motor Vehicles to be paid
23 into the Highway Safety Operating Trust Fund.

24 (b) The Department of Law Enforcement shall provide
25 electronic access to the department for the purpose of
26 identifying any person who is the subject of an outstanding
27 warrant or capias for passing worthless bank checks.

28 (c) The Department of Highway Safety and Motor
29 Vehicles and the Department of Law Enforcement shall develop
30 and implement a plan to ensure the identification of any
31 person who is the subject of an outstanding warrant or capias

1 for passing worthless bank checks and to ensure the
2 identification of the person's driver's license record.

3 Section 3. This act shall take effect July 1 of the
4 year in which enacted.

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7 HOUSE SUMMARY

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9 Provides for the suspension of a person's driver's
10 license with respect to any individual who does not
11 fulfill the agreements for a bad check diversion program
12 or who is being prosecuted for passing a worthless bank
13 check and who fails to appear before the court and
14 against whom a warrant or capias for failure to appear is
15 issued by the court. Provides for notification. See bill
16 for details.

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