

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 against whom a warrant or capias is
6 issued in a worthless check case; creating s.
7 832.10, F.S.; providing for the state attorney
8 to use a private debt collector or independent
9 contractor for 90 days to collect worthless
10 checks; providing for the case to be referred
11 back to the state attorney if the worthless
12 check is not collected in the time allowed;
13 creating s. 832.10, F.S.; providing an
14 alternative to the bad check diversion program;
15 providing fees for collection; amending s.
16 322.251, F.S.; providing for notification;
17 providing for conditions for reinstatement;
18 providing a fee; directing the Department of
19 Highway Safety and Motor Vehicles and the
20 Department of Law Enforcement to develop and
21 implement a plan; amending s. 322.142, relating
22 to records of the Department of Highway Safety
23 and Motor Vehicles; providing an appropriation;
24 amending s. 318.18, F.S.; rescinding the fine
25 for speeds exceeding the limit by 1-5 m.p.h.
26 and replacing the fine with a warning;
27 providing that fines for construction zone
28 speed violations shall be doubled only under
29 certain circumstances; amending s. 320.07,
30 F.S.; revising penalties for expiration of
31 registration; amending s. 322.26, F.S.;

1 providing for permanent revocation of a
2 driver's license for murder resulting from the
3 operation of a motor vehicle, DUI manslaughter
4 where the conviction represents a subsequent
5 DUI-related conviction, or four or more DUI
6 violations; amending s. 322.271, F.S.;
7 providing for petition for reinstatement under
8 certain circumstances; amending s. 322.28,
9 F.S.; revising provisions with respect to the
10 period of suspension or revocation; conforming
11 current provisions to the act; creating s.
12 322.283, F.S.; providing for the commencement
13 of the period of suspension or revocation for
14 incarcerated offenders; providing for
15 notification to the Department of Highway
16 Safety and Motor Vehicles; amending s. 322.34,
17 F.S.; providing that the element of knowledge
18 with respect to the suspension, revocation,
19 cancellation, or disqualification is satisfied
20 when certain notice is sent; creating s.
21 322.341, F.S.; providing penalties for driving
22 while a license is permanently revoked;
23 amending s. 627.733, F.S.; deleting a provision
24 for revoking the driver's license of an owner
25 or registrant of a motor vehicle who does not
26 provide required security for that vehicle;
27 providing effective dates.

28
29 Be It Enacted by the Legislature of the State of Florida:
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1 Section 1. Section 832.09, Florida Statutes, is
2 created to read:

3 832.09 Suspension of driver license after warrant or
4 capias is issued in worthless check case.--

5 (1) Any person who is being prosecuted for passing a
6 worthless check in violation of s. 832.05, who fails to appear
7 before the court and against whom a warrant or capias for
8 failure to appear is issued by the court shall have his or her
9 driver's license suspended or revoked pursuant to s. 322.251.

10 (2) Within 5 working days after the issuance of a
11 warrant or capias for failure to appear the clerk of the court
12 in the county where the warrant or capias is issued, shall
13 notify the Department of Highway Safety and Motor Vehicles by
14 the most efficient method available of the action of the
15 court.

16 Section 2. Section 832.10, Florida Statutes, is
17 created to read:

18 832.10 Alternative to bad check diversion program;
19 fees for collection.--

20 (1) Prior to presenting a complaint about a dishonored
21 check to a state attorney, a payee on such bad check may place
22 or assign the debt evidenced by the bad check for collection
23 pursuant to this section by a private debt collector
24 registered under part VI, chapter 559, Florida Statutes.

25 (2) Upon such placement or assignment the payee shall
26 be entitled to add a collection fee to offset the cost of
27 collection. This collection fee is in addition to the bad
28 check service charges authorized by law. The collection fee
29 payable to the debt collector shall be a reasonable fee in
30 accord with industry standards, based upon the total amount
31 collected.

1 (3) Unless extended by the payee, the debt collector
2 shall have 90 days from the date of placement or assignment of
3 the debt for collection within which to collect the amount of
4 the bad check, applicable bad debt charges, and the
5 collector's collection fee. Upon the expiration of such 90 day
6 period and any extensions thereof, the payee then may present
7 a complaint to the appropriate state attorney. The debt
8 collector may continue to try to collect the debt, provided
9 such collection effort does not impede the prosecution or
10 other disposition of the case by the state attorney.

11 (4) The debt collector may not compromise the amount
12 to be collected without the express consent of the payee of
13 the check. The debt collector shall remit to the payee the
14 amount collected less the collector's fee percentage on the
15 total amount collected.

16 (5) The use of such debt collector shall not affect
17 the authority of the state attorney to prosecute any person
18 for any violation of s. 832.04, s. 832.041, s. 832.05, or s.
19 832.06. The use of this section by a payee on a bad check
20 shall not affect the rights of the payee, other than as set
21 forth in this section, to present a complaint to the
22 appropriate state attorney.

23 Section 3. Subsection (7) is added to section 322.251,
24 Florida Statutes, to read:

25 322.251 Notice of cancellation, suspension,
26 revocation, or disqualification of license.--

27 (7)(a) A person whose driving privilege is suspended
28 or revoked pursuant to s. 832.09 shall be notified, pursuant
29 to this section, and the notification shall direct the person
30 to surrender himself or herself to the sheriff who entered the
31 warrant to satisfy the conditions of the warrant. A person

1 whose driving privilege is suspended or revoked under this
2 subsection shall not have his or her driving privilege
3 reinstated for any reason other than:

4 1. Full payment of any restitution, court costs, and
5 fees incurred as a result of a warrant or capias being issued
6 pursuant to s. 832.09;

7 2. The cancellation of the warrant or capias from the
8 Department of Law Enforcement recorded by the entering agency;
9 and

10 3. The payment of an additional fee of \$10 to the
11 Department of Highway Safety and Motor Vehicles to be paid
12 into the Highway Safety Operating Trust Fund; or

13 4. The department has modified the suspension or
14 revocation of the license pursuant to s. 322.271 restoring the
15 driving privilege solely for business or employment purposes.

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

20 (c) The Department of Highway Safety and Motor
21 Vehicles and the Department of Law Enforcement shall develop
22 and implement a plan to ensure the identification of any
23 person who is the subject of an outstanding warrant or capias
24 for passing worthless bank checks and to ensure the
25 identification of the person's driver's license record.

26 Section 4. Subsections (5) and (6) are added to
27 Section 322.142, Florida Statutes, to read:

28 Section 322.142 Color photographic or digital imaged
29 licenses.--

30 (5) Notwithstanding any other provisions of law, the
31 department may sell copies of photographs, electronically

1 stored photographs, or digitized images and other driver's
2 license and state identification card information on file,
3 which are recorded and maintained as required, if such items
4 are to be used solely for the prevention of fraud, including,
5 but not limited to, use in mechanisms intended to prevent the
6 fraudulent use of credit cards, debit cards, or checks, or
7 fraud in other forms of financial transactions. The use of
8 such photographs, electronically stored photographs, or
9 digitized images obtained pursuant to this subsection is
10 limited to the verification of the identity of the holder of
11 an account, other form of identification, or other similar
12 uses, and may not be used for any other purpose.

13 (6) Notwithstanding any other provisions of law, the
14 department may sell copies of photographs, electronically
15 stored photographs, or digitized images maintained by the
16 department as required, upon receipt of the following from an
17 applicant:

18 (a) Proof of the identity of the applicant;

19 (b) A declaration, in such form as is required by the
20 department, describing how the applicant will use such
21 photographs, electronically stored photographs, or digitized
22 images for the prevention of fraud; and

23 (c) Payment of a fee for the photographs,
24 electronically stored photographs, or digitized images. The
25 department shall establish a fee for providing copies of such
26 photographs, electronically stored photographs, or digitized
27 images and all fees collected pursuant to this subsection
28 shall be used to defray the costs of the department in
29 providing such copies to an applicant.

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1 Section 5. \$35,000 is hereby appropriated from the
2 Highway Safety Operating Trust fund to implement the
3 provisions of this legislation.

4 Section 6. Subsection (3) of section 318.18, Florida
5 Statutes, is amended to read:

6 318.18 Amount of civil penalties.--The penalties
7 required for a noncriminal disposition pursuant to s. 318.14
8 are as follows:

9 (3)(a) Except as otherwise provided in this section,
10 \$60 for all moving violations not requiring a mandatory
11 appearance.

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

For speed exceeding the limit by:	Fine:
16 <u>1-5 m.p.h.</u>	<u>Warning</u>
17 <u>6-9</u> 1-9 m.p.h.....	\$ 25
18 10-14 m.p.h.....	\$100
19 15-19 m.p.h.....	\$125
20 20-29 m.p.h.....	\$150
21 30 m.p.h. and above.....	\$250

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

28 (d) A person cited for exceeding the speed limit in ~~or~~
29 a posted construction zone will be assessed a fine double the
30 amount listed in paragraph (b). The fine shall be doubled for
31 construction zone violations only if construction personnel

1 are present or operating equipment on the road or immediately
2 adjacent to the road under construction.

3 (e)~~(d)~~ If a violation of s. 316.1301 or s. 316.1303
4 results in an injury to the pedestrian or damage to the
5 property of the pedestrian, an additional fine of up to \$250
6 must be assessed. This amount must be distributed pursuant to
7 s. 318.21.

8 Section 7. Subsection (3) of section 320.07, Florida
9 Statutes, is amended to read:

10 320.07 Expiration of registration; annual renewal
11 required; penalties.--

12 (3) The operation of any motor vehicle without having
13 attached thereto a registration license plate and validation
14 stickers, or the use of any mobile home without having
15 attached thereto a mobile home sticker, for the current
16 registration period shall subject the owner thereof, if he or
17 she is present, or, if the owner is not present, the operator
18 thereof to the following penalty provisions:

19 (a) Any person whose motor vehicle or mobile home
20 registration has been expired for a period of 6 months or less
21 shall be subject to the penalty provided in s. 318.14.

22 (b) Any person whose motor vehicle or mobile home
23 registration has been expired for more than 6 months shall
24 upon a first offense be subject to the penalty provided in s.
25 318.14.

26 (c)~~(b)~~ Any person whose motor vehicle or mobile home
27 registration has been expired for more than 6 months shall
28 upon a second or subsequent offense be is guilty of a
29 misdemeanor of the second degree, punishable as provided in s.
30 775.082 or s. 775.083.

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1 ~~(d)(c)~~ However, no operator shall be charged with a
2 violation of this subsection if the operator can show,
3 pursuant to a valid lease agreement, that the vehicle had been
4 leased for a period of 30 days or less at the time of the
5 offense.

6 Section 8. Subsections (1) and (2) of section 322.26,
7 Florida Statutes, are amended to read:

8 322.26 Mandatory revocation of license by
9 department.--The department shall forthwith revoke the license
10 or driving privilege of any person upon receiving a record of
11 such person's conviction of any of the following offenses:

12 (1)(a) Murder resulting from the operation of a motor
13 vehicle, DUI manslaughter where the conviction represents a
14 subsequent DUI-related conviction, or a fourth violation of s.
15 316.193 or former s. 316.1931. For such cases, the revocation
16 of the driver's license or driving privilege shall be
17 permanent.

18 (b) Manslaughter resulting from the operation of a
19 motor vehicle.

20 (2) Driving a motor vehicle or being in actual
21 physical control thereof, or entering a plea of nolo
22 contendere, said plea being accepted by the court and said
23 court entering a fine or sentence to a charge of driving,
24 while under the influence of alcoholic beverages or a
25 substance controlled under chapter 893, or being in actual
26 physical control of a motor vehicle while under the influence
27 of alcoholic beverages or a substance controlled under chapter
28 893. In any case where DUI manslaughter occurs and the person
29 has no prior convictions for DUI-related offenses, the
30 revocation of the license or driving privilege shall be
31 permanent, except as provided for in s. 322.271(4).

1 Section 9. Paragraph (b) of subsection (1) and
2 subsection (4) of section 322.271, Florida Statutes, are
3 amended to read:

4 322.271 Authority to modify revocation, cancellation,
5 or suspension order.--

6 (1)

7 (b) A person whose driving privilege has been revoked
8 under s. 322.27(5) may, upon expiration of 12 months from the
9 date of such revocation, petition the department for
10 reinstatement ~~restoration~~ of his or her driving privilege.
11 Upon such petition and after investigation of the person's
12 qualification, fitness, and need to drive, the department
13 shall hold a hearing pursuant to chapter 120 to determine
14 whether the driving privilege shall be reinstated ~~restored~~ on
15 a restricted basis solely for business or employment purposes.

16 (4) Notwithstanding the provisions of s. 322.28(2)(e),
17 a person whose driving privilege has been permanently revoked
18 because he or she ~~has been convicted four times of violating~~
19 ~~s. 316.193 or former s. 316.1931 or because he or she has been~~
20 convicted of DUI manslaughter in violation of s. 316.193 and
21 has no prior convictions for DUI-related offenses may, upon
22 the expiration of 5 years after the date of such revocation or
23 the expiration of 5 years after the termination of any term of
24 incarceration under s. 316.193 or former s. 316.1931,
25 whichever date is later, petition the department for
26 reinstatement of his or her driving privilege.

27 (a) Within 30 days after the receipt of such a
28 petition, the department shall afford the petitioner an
29 opportunity for a hearing. At the hearing, the petitioner
30 must demonstrate to the department that he or she:

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1 1. Has not been arrested for a drug-related offense
2 during the 5 years preceding the filing of the petition;

3 2. Has not driven a motor vehicle without a license
4 for at least 5 years prior to the hearing;

5 3. Has been drug-free for at least 5 years prior to
6 the hearing; and

7 4. Has completed a DUI program licensed by the
8 department.

9 (b) At such hearing, the department shall determine
10 the petitioner's qualification, fitness, and need to drive.
11 Upon such determination, the department may, in its
12 discretion, reinstate the driver's license of the petitioner.
13 Such reinstatement must be made subject to the following
14 qualifications:

15 1. The license must be restricted for employment
16 purposes for not less than 1 year; and

17 2. Such person must be supervised by a DUI program
18 licensed by the department and report to the program for such
19 supervision and education at least four times a year or
20 additionally as required by the program for the remainder of
21 the revocation period. Such supervision shall include
22 evaluation, education, referral into treatment, and other
23 activities required by the department.

24 (c) Such person must assume the reasonable costs of
25 supervision. If such person fails to comply with the required
26 supervision, the program shall report the failure to the
27 department, and the department shall cancel such person's
28 driving privilege.

29 (d) If, after reinstatement, such person is convicted
30 of an offense for which mandatory revocation of his or her
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1 license is required, the department shall revoke his or her
2 driving privilege.

3 (e) The department shall adopt rules regulating the
4 providing of services by DUI programs pursuant to this
5 section.

6 Section 10. Paragraph (e) of subsection (2) of section
7 322.28, Florida Statutes, is amended, present subsections (3),
8 (4), (6), and (8) of that section are redesignated as
9 subsections (4), (5), (7), and (9), respectively, present
10 subsection (5) of that section is redesignated as subsection
11 (6) and amended, and a new subsection (3) is added to that
12 section, to read:

13 322.28 Period of suspension or revocation.--

14 (2) In a prosecution for a violation of s. 316.193 or
15 former s. 316.1931, the following provisions apply:

16 (e) The court shall permanently revoke the driver's
17 license or driving privilege of a person who has been
18 convicted four times for violation of s. 316.193 or former s.
19 316.1931 or a combination of such sections. The court shall
20 permanently revoke the driver's license or driving privilege
21 of any person who has been convicted of DUI manslaughter in
22 violation of s. 316.193. If the court has not permanently
23 revoked such driver's license or driving privilege within 30
24 days after imposing sentence, the department shall permanently
25 revoke the driver's license or driving privilege pursuant to
26 this paragraph. No driver's license or driving privilege may
27 be issued or granted to any such person. This paragraph
28 applies only if at least one of the convictions for violation
29 of s. 316.193 or former s. 316.1931 was for a violation that
30 occurred after July 1, 1982. For the purposes of this
31 paragraph, a conviction for violation of former s. 316.028,

1 former s. 316.1931, or former s. 860.01 is also considered a
 2 conviction for violation of s. 316.193. Also, a conviction of
 3 driving under the influence, driving while intoxicated,
 4 driving with an unlawful blood-alcohol level, or any other
 5 similar alcohol-related or drug-related traffic offense
 6 outside this state is considered a conviction for the purposes
 7 of this paragraph.

8 (3) The court shall permanently revoke the driver's
 9 license or driving privilege of a person who has been
 10 convicted of murder resulting from the operation of a motor
 11 vehicle. No driver's license or driving privilege may be
 12 issued or granted to any such person.

13 ~~(4)(3)~~ Upon the conviction of a person for a violation
 14 of s. 322.34, the license or driving privilege, if suspended,
 15 shall be suspended for 3 months in addition to the period of
 16 suspension previously imposed and, if revoked, the time after
 17 which a new license may be issued shall be delayed 3 months.

18 ~~(5)(4)~~ If, in any case arising under this section, a
 19 licensee, after having been given notice of suspension or
 20 revocation of his or her license in the manner provided in s.
 21 322.251, fails to surrender to the department a license
 22 theretofore suspended or revoked, as required by s. 322.29, or
 23 fails otherwise to account for the license to the satisfaction
 24 of the department, the period of suspension of the license, or
 25 the period required to elapse after revocation before a new
 26 license may be issued, shall be extended until, and shall not
 27 expire until, a period has elapsed after the date of surrender
 28 of the license, or after the date of expiration of the
 29 license, whichever occurs first, which is identical in length
 30 with the original period of suspension or revocation.

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1 ~~(6)(5)~~(a) Upon a conviction for a violation of s.
 2 316.193(3)~~(c)2.~~, involving serious bodily injury, a conviction
 3 of manslaughter resulting from the operation of a motor
 4 vehicle, or a conviction of vehicular homicide, the court
 5 shall revoke the driver's license of the person convicted for
 6 a minimum period of 3 years ~~if death to any other person~~
 7 ~~resulted from the operation of a motor vehicle by such driver.~~
 8 In the event that a conviction under s. 316.193(3)(c)2.,
 9 involving serious bodily injury, is also a subsequent
 10 conviction as described under paragraph (2)(a), the court
 11 shall revoke the driver's license or driving privilege of the
 12 person convicted for the period applicable as provided in
 13 paragraph (2)(a) or paragraph (2)(e).

14 (b) If the period of revocation was not specified by
 15 the court at the time of imposing sentence or within 30 days
 16 thereafter, the department shall revoke the driver's license
 17 for the minimum period applicable under paragraph (a) or, for
 18 a subsequent conviction, for the minimum period applicable
 19 under paragraph (2)(a) or paragraph (2)(e).

20 ~~(7)(6)~~ No administrative suspension of a driving
 21 privilege under s. 322.2615 shall be stayed upon a request for
 22 review of the departmental order that resulted in such
 23 suspension and, except as provided in former s. 322.261, no
 24 suspension or revocation of a driving privilege shall be
 25 stayed upon an appeal of the conviction or order that resulted
 26 therein.

27 ~~(8)(7)~~ In a prosecution for a violation of s.
 28 316.172(1), and upon a showing of the department's records
 29 that the licensee has received a second conviction within a
 30 period of 5 years from the date of a prior conviction of s.
 31 316.172(1), the department shall, upon direction of the court,

1 suspend the driver's license of the person convicted for a
2 period of not less than 90 days nor more than 6 months.

3 Section 11. Section 322.283, Florida Statutes, is
4 created to read:

5 322.283 Commencement of period of suspension or
6 revocation for incarcerated offenders.--

7 (1) When the court in a criminal traffic case orders
8 the defendant to serve a term of incarceration or imprisonment
9 and also suspends or revokes the defendant's driver's license
10 as a result of the offense, the period of suspension or
11 revocation shall commence upon the defendant's release from
12 incarceration. For purposes of calculating the defendant's
13 eligibility for reinstatement of his or her driver's license
14 or driving privilege under this section, the date of the
15 defendant's release from incarceration shall be deemed the
16 date the suspension or revocation period was imposed.

17 (2) For defendants convicted of a criminal traffic
18 offense and sentenced to imprisonment with the Department of
19 Corrections, the Department of Corrections shall notify the
20 Department of Highway Safety and Motor Vehicles of the date of
21 the defendant's release from prison or other state
22 correctional facility. For defendants convicted of a criminal
23 traffic offense and sentenced to incarceration within the
24 jurisdictional county jail or other correctional facility
25 operated by the jurisdictional county, the sheriff of the
26 jurisdictional county wherein the defendant is incarcerated
27 shall notify the Department of Highway Safety and Motor
28 Vehicles of the date of the defendant's release from the
29 county jail or other correctional facility. The notification
30 of a defendant's release from incarceration shall be on a form
31 approved by the Department of Highway Safety and Motor

1 Vehicles. This subsection applies only to those defendants who
2 have had their driver's license or driving privilege suspended
3 or revoked as a result of the offense for which they are
4 incarcerated or imprisoned.

5 Section 12. Subsection (2) of section 322.34, Florida
6 Statutes, is amended to read:

7 322.34 Driving while license suspended, revoked,
8 canceled, or disqualified.--

9 (2) Any person whose driver's license or driving
10 privilege has been canceled, suspended, or revoked as provided
11 by law, except persons defined in s. 322.264, who, knowing of
12 such cancellation, suspension, or revocation, drives any motor
13 vehicle upon the highways of this state while such license or
14 privilege is canceled, suspended, or revoked, upon:

15 (a) A first conviction is guilty of a misdemeanor of
16 the second degree, punishable as provided in s. 775.082 or s.
17 775.083.

18 (b) A second conviction is guilty of a misdemeanor of
19 the first degree, punishable as provided in s. 775.082 or s.
20 775.083.

21 (c) A third or subsequent conviction is guilty of a
22 felony of the third degree, punishable as provided in s.
23 775.082, s. 775.083, or s. 775.084.

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25 The element of knowledge is satisfied if the person has been
26 previously cited as provided in subsection (1); or the person
27 admits to knowledge of the cancellation, suspension, or
28 revocation; or the person received notice as provided in
29 subsection (4). There shall be a rebuttable presumption that
30 the knowledge requirement is satisfied if a judgment or order
31 as provided in subsection (4) appears in the department's

1 records for any case except for one involving a suspension by
2 the department for failure to pay a traffic fine or for a
3 financial responsibility violation.

4 Section 13. Section 322.341, Florida Statutes, is
5 created to read:

6 322.341 Driving while license permanently
7 revoked.--Any person whose driver's license or driving
8 privilege has been permanently revoked pursuant to s. 322.26
9 or s. 322.28 and who drives a motor vehicle upon the highways
10 of this state is guilty of a felony of the third degree,
11 punishable as provided in s. 775.082, s. 775.083, or s.
12 775.084.

13 Section 14. Effective July 1, 2000, subsections (6)
14 and (7) of section 627.733, Florida Statutes, are amended to
15 read:

16 627.733 Required security.--

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

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

26 (b) Upon notification by the insurer to the Department
27 of Highway Safety and Motor Vehicles, in a form approved by
28 the department, of cancellation or termination of the required
29 security.

30 (7)(a) Any operator or owner whose ~~driver's license or~~
31 registration has been suspended pursuant to this section or s.

1 316.646 may effect its reinstatement upon compliance with the
2 requirements of this section and upon payment to the
3 Department of Highway Safety and Motor Vehicles of a
4 nonrefundable reinstatement fee of \$150 for the first
5 reinstatement. Such reinstatement fee shall be \$250 for the
6 second reinstatement and \$500 for each subsequent
7 reinstatement during the 3 years following the first
8 reinstatement. Any person reinstating her or his insurance
9 under this subsection must also secure noncancelable coverage
10 as described in s. 627.7275(2) and present to the appropriate
11 person proof that the coverage is in force on a form
12 promulgated by the Department of Highway Safety and Motor
13 Vehicles, such proof to be maintained for 2 years. If the
14 person does not have a second reinstatement within 3 years
15 after her or his initial reinstatement, the reinstatement fee
16 shall be \$150 for the first reinstatement after that 3-year
17 period. ~~In the event that a person's license and registration~~
18 ~~are suspended pursuant to this section or s. 316.646, only one~~
19 ~~reinstatement fee shall be paid to reinstate the license and~~
20 ~~the registration.~~ All fees shall be collected by the
21 Department of Highway Safety and Motor Vehicles at the time of
22 reinstatement. The Department of Highway Safety and Motor
23 Vehicles shall issue proper receipts for such fees and shall
24 promptly deposit those fees in the Highway Safety Operating
25 Trust Fund. One-third of the fee collected under this
26 subsection shall be distributed from the Highway Safety
27 Operating Trust Fund to the local government entity or state
28 agency which employed the law enforcement officer or the
29 recovery agent who seizes a license plate pursuant to s.
30 324.201 or to s. 324.202. Such funds may be used by the local
31 government entity or state agency for any authorized purpose.

1 (b) One-third of the fee collected for the seizure of
2 a license plate by a recovery agent shall be paid to the
3 recovery agent, and the balance shall remain in the Highway
4 Safety Operating Trust Fund and be distributed pursuant to s.
5 321.245.

6 Section 15. This act shall take effect July 1 of the
7 year in which enacted.

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