

By the Committee on Transportation and Senator Geller

306-2209-99

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A bill to be entitled
An act relating to teenage driver education;
amending s. 322.05, F.S.; providing certain
persons may not be issued a driver's license;
authorizing a board of county commissioners to
require by ordinance that a specified amount be
withheld from each civil fine to be used to
fund traffic education and awareness programs;
providing an effective date.

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

Section 1. Section 322.05, Florida Statutes, is amended to read:

322.05 Persons not to be licensed.--The department may not issue a license:

(1) To a person who is under the age of 16 years, except that the department may issue a learner's driver's license to a person who is at least 15 years of age and who meets the requirements of ss. 322.091 and 322.1615 and of any other applicable law or rule.

(2) To a person who is at least 16 years of age but is under 18 years of age unless the person meets the requirements of s. 322.091 and holds a valid:

(a) Learner's driver's license for at least 6 months, with no traffic convictions or traffic crashes, before applying for a license; or

(b) License that was issued in another state or in a foreign jurisdiction and that would not be subject to suspension or revocation under the laws of this state.

1 (3) Except as provided by this subsection, to any
2 person, as a Class A licensee, Class B licensee, Class C
3 licensee, or Class D licensee, who is under the age of 18
4 years. A person age 16 or 17 years who applies for a Class D
5 driver's license is subject to all the requirements and
6 provisions of ss. 322.09 and 322.16(2) and (3). Any person
7 who applies for a Class D driver's license who is age 16 or 17
8 years must have had a learner's driver's license or a driver's
9 license for at least 90 days before he or she is eligible to
10 receive a Class D driver's license. The department may require
11 of any such applicant for a Class D driver's license such
12 examination of the qualifications of the applicant as the
13 department considers proper, and the department may limit the
14 use of any license granted as it considers proper.

15 (4) To any person whose license has been suspended,
16 during such suspension, nor to any person whose license has
17 been revoked, until the expiration of the period of revocation
18 imposed under the provisions of this chapter.

19 (5) To any person, as a commercial motor vehicle
20 operator, whose privilege to operate a commercial motor
21 vehicle has been disqualified, until the expiration of the
22 period of disqualification.

23 (6) To any person who is an habitual drunkard, or is
24 an habitual user of narcotic drugs, or is an habitual user of
25 any other drug to a degree which renders him or her incapable
26 of safely driving a motor vehicle.

27 (7) To any person who has been adjudged to be
28 afflicted with or suffering from any mental disability or
29 disease and who has not at the time of application been
30 restored to competency by the methods provided by law.

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1 (8) To any person who is required by this chapter to
2 take an examination, unless such person shall have
3 successfully passed such examination.

4 (9) To any person, when the department has good cause
5 to believe that the operation of a motor vehicle on the
6 highways by such person would be detrimental to public safety
7 or welfare. Deafness alone shall not prevent the person
8 afflicted from being issued a Class D or Class E driver's
9 license.

10 (10) To any person who is ineligible under s. 322.056.

11 Section 2. A board of county commissioners may require
12 that the clerk of the court withhold \$2 from each civil
13 penalty, which shall be used to fund traffic education and
14 awareness programs. The ordinance shall provide for the board
15 of county commissioners to administer the funds or shall
16 designate local safety groups or schools to receive and
17 administer the funds.

18 Section 3. This act shall take effect July 1, 1999.

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20 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
21 COMMITTEE SUBSTITUTE FOR
22 SB 1048

23 The CS deletes a provision relating to driver education course
24 curricula.

25 The CS deletes a provision limiting the number of passengers a
26 licensed driver under 18 years of age could transport.

27 The CS deletes a provision that a person must be 16 years old
28 in order to obtain a learner's driver's license

29 The CS authorizes a county commission to direct the clerk of
30 the court to withhold \$2 from each civil penalty to fund
31 traffic education and awareness programs. Such a local
ordinance must provide for the board of county commissioners
to administer the funds or designate local safety groups or
schools to receive and administer the funds.