

54-366AX-32 Bill No. CS for CS for SB 1056, 1st Eng.  
Amendment No. \_\_\_\_ (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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Representative(s) Arnall offered the following:

**Amendment (with title amendment)**

On page 5, line 23, through page 8, line 25,  
remove from the bill: all of said lines,

and insert in lieu thereof:

Section 3. Effective June 1, 2000, subsection (6) is  
added to section 318.1451, Florida Statutes, is amended to  
read:

318.1451 Driver improvement schools.--

(6)(a) No governmental entity or court shall provide,  
issue or maintain any information or orders regarding driver  
improvement schools or course providers, with the exception of  
directing inquiries or request to the local telephone  
directory heading of driving instruction or the traffic school  
reference guide.

(b) The department shall prepare for any governmental  
entity to distribute, a traffic school reference guide which  
shall list the benefits of attending a driver improvement  
school, but under no circumstance may any list of course

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1 providers or schools be included, and shall refer further  
2 inquiries to the telephone directory under driving  
3 instruction.

4 Section 4. Paragraph (a) of subsection (2) of section  
5 322.271, Florida Statutes, 1998 Supplement, is amended to  
6 read:

7 322.271 Authority to modify revocation, cancellation,  
8 or suspension order.--

9 (2)(a) Upon such hearing, the person whose license has  
10 been suspended, canceled, or revoked may show that such  
11 suspension, cancellation, or revocation of his or her license  
12 causes a serious hardship and precludes the person's carrying  
13 out his or her normal business occupation, trade, or  
14 employment and that the use of the person's license in the  
15 normal course of his or her business is necessary to the  
16 proper support of the person or his or her family. Except as  
17 otherwise provided in this subsection, the department shall  
18 require proof of the successful completion of the applicable  
19 department ~~an~~ approved driver training course operating  
20 pursuant to s. 318.1451 or DUI program substance abuse  
21 education course and evaluation as provided in s. 316.193(5).  
22 ~~and may require~~ Letters of recommendation from respected  
23 business persons in the community, law enforcement officers,  
24 or judicial officers may also be required to determine in  
25 ~~determining~~ whether such person should be permitted to operate  
26 a motor vehicle on a restricted basis for business or  
27 employment use only and in determining whether such person can  
28 be trusted to so operate a motor vehicle. If a driver's  
29 license has been suspended under the point system or pursuant  
30 to s. 322.2615, the department shall require proof of  
31 enrollment in the applicable department ~~an~~ approved driver

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1 training course or licensed DUI program substance abuse  
2 education course, including evaluation and treatment, if  
3 referred,and may require ~~the~~ letters of recommendation  
4 described in this subsection to determine if the driver should  
5 be reinstated on a restricted basis.†If such person fails to  
6 complete the approved course within 90 days after  
7 reinstatement or subsequently fails to complete treatment, if  
8 applicable, the department shall cancel his or her driver's  
9 license until the course and treatment, if applicable,is  
10 successfully completed, notwithstanding the terms of the court  
11 order or any suspension or revocation of the driving  
12 privilege. The department may temporarily reinstate the  
13 driving privilege on a restricted basis upon verification from  
14 the DUI program that the offender has reentered and is  
15 currently participating in treatment and has completed the DUI  
16 education course and evaluation requirement. If the DUI  
17 program notifies the department of the second failure to  
18 complete treatment, the department shall reinstate the driving  
19 privilege only after notice of completion of treatment from  
20 the DUI program. The privilege of driving on a limited or  
21 restricted basis for business or employment use shall not be  
22 granted to a person who has been convicted of a violation of  
23 s. 316.193 until completion of the DUI program substance abuse  
24 such education or training course and evaluations as provided  
25 in s. 316.193(5). Except as provided in paragraph (b), the  
26 privilege of driving on a limited or restricted basis for  
27 business or employment use shall not be granted to a person  
28 whose license is revoked pursuant to s. 322.28 or suspended  
29 pursuant to s. 322.2615 and who has been convicted of a  
30 violation of s. 316.193 two or more times or whose license has  
31 been suspended two or more times for refusal to submit to a

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1 test pursuant to s. 322.2615 or former s. 322.261.

2 Section 5. Section 322.291, Florida Statutes, is  
3 amended to read:

4 322.291 Driver improvement schools or DUI programs;  
5 required in certain suspension and revocation cases.--Except  
6 as provided in s. 322.03(2), any person:

7 (1) Whose driving privilege has been revoked:

8 (a) Upon conviction for:

9 1. Driving, or being in actual physical control of,  
10 any vehicle while under the influence of alcoholic beverages,  
11 any chemical substance set forth in s. 877.111, or any  
12 substance controlled under chapter 893, in violation of s.  
13 316.193;

14 2. Driving with an unlawful blood- or breath-alcohol  
15 level;

16 3. Manslaughter resulting from the operation of a  
17 motor vehicle;

18 4. Failure to stop and render aid as required under  
19 the laws of this state in the event of a motor vehicle  
20 accident resulting in the death or personal injury of another;

21 5. Reckless driving; or

22 (b) As an habitual offender;

23 (c) Upon direction of the court, if the court feels  
24 that the seriousness of the offense and the circumstances  
25 surrounding the conviction warrant the revocation of the  
26 licensee's driving privilege; or

27 (2) Whose license was suspended under the point  
28 system, was suspended for driving with an unlawful  
29 blood-alcohol level of 0.10 percent or higher before January  
30 1, 1994, was suspended for driving with an unlawful  
31 blood-alcohol level of 0.08 percent or higher after December

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1 31, 1993, was suspended for a violation of s. 316.193(1), or  
2 was suspended for refusing to submit to a lawful breath,  
3 blood, or urine test as provided in s. 322.2615  
4  
5 shall, before the driving privilege may be reinstated, present  
6 to the department proof of enrollment in a department-approved  
7 advanced driver improvement course operating pursuant to s.  
8 318.1451 or a substance abuse  
9

10  
11 ===== T I T L E A M E N D M E N T =====

12 And the title is amended as follows:

13 On page 1, line 16, after the semicolon,  
14  
15 insert:  
16 clarifying references to certain courses;  
17 amending s. 318.1451, F.S.; prohibiting  
18 governmental entities or courts from providing,  
19 maintaining, or disclosing certain information  
20 relating to certain schools or course  
21 providers;  
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