

541-167AX-06

Bill No. CS/CS/HB 1163

Amendment No. ____ (for drafter's use only)

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

Amendment (with title amendment)

Remove from the bill: Everything after the enacting clause
and insert in lieu thereof:

Section 1. This act may be cited as the "Justin Marks
Teen Safety Driving Act."

Section 2. Subsection (5) of section 316.614, Florida
Statutes, is amended to read:

316.614 Safety belt usage.--

(5) It is unlawful for any person 18 ~~16~~ years of age
or older to be a passenger in the front seat of a motor
vehicle unless such person is restrained by a safety belt when
the vehicle is in motion.

Section 3. 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

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1 license to a person who is at least 15 years of age and who
2 meets the requirements of ss. 322.091 and 322.1615 and of any
3 other applicable law or rule.

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

7 (a) Learner's driver's license for at least 12 &
8 months, with no traffic convictions, before applying for a
9 license; or

10 (b) Learner's driver's license for at least 12 months
11 and who has a traffic conviction but elects to attend a
12 traffic driving school for which adjudication must be withheld
13 pursuant to s. 318.14; or

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

17 (3) To a person who is at least 16 years of age but
18 who is under 18 years of age unless the parent, guardian, or
19 other responsible adult meeting the requirements of s. 322.09
20 certifies that he or she, or another licensed driver 21 years
21 of age or older, has accompanied the applicant for a total of
22 not less than 50 hours behind-the-wheel experience, of which
23 not less than 10 hours shall be at night This subsection is
24 not intended to create a private cause of action as a result
25 of the certification. The certification is inadmissible for
26 any purpose in any civil proceeding.

27 (4) ~~(3)~~ Except as provided by this subsection, to any
28 person, as a Class A licensee, Class B licensee, Class C
29 licensee, or Class D licensee, who is under the age of 18
30 years. A person age 16 or 17 years who applies for a Class D
31 driver's license is subject to all the requirements and

1 provisions of ss. 322.09 and 322.16(2) and (3). Any person
2 who applies for a Class D driver's license who is age 16 or 17
3 years must have had a learner's driver's license or a driver's
4 license for at least 90 days before he or she is eligible to
5 receive a Class D driver's license. The department may require
6 of any such applicant for a Class D driver's license such
7 examination of the qualifications of the applicant as the
8 department considers proper, and the department may limit the
9 use of any license granted as it considers proper.

10 (5)~~(4)~~ To any person whose license has been suspended,
11 during such suspension, nor to any person whose license has
12 been revoked, until the expiration of the period of revocation
13 imposed under the provisions of this chapter.

14 (6)~~(5)~~ To any person, as a commercial motor vehicle
15 operator, whose privilege to operate a commercial motor
16 vehicle has been disqualified, until the expiration of the
17 period of disqualification.

18 (7)~~(6)~~ To any person who is an habitual drunkard, or
19 is an habitual user of narcotic drugs, or is an habitual user
20 of any other drug to a degree which renders him or her
21 incapable of safely driving a motor vehicle.

22 (8)~~(7)~~ To any person who has been adjudged to be
23 afflicted with or suffering from any mental disability or
24 disease and who has not at the time of application been
25 restored to competency by the methods provided by law.

26 (9)~~(8)~~ To any person who is required by this chapter
27 to take an examination, unless such person shall have
28 successfully passed such examination.

29 (10)~~(9)~~ To any person, when the department has good
30 cause to believe that the operation of a motor vehicle on the
31 highways by such person would be detrimental to public safety

1 or welfare. Deafness alone shall not prevent the person
2 afflicted from being issued a Class D or Class E driver's
3 license.

4 (11)~~(10)~~ To any person who is ineligible under s.
5 322.056.

6 Section 4. Notwithstanding sections 322.05(2) and (3),
7 Florida Statutes, a person who is at least 16 years of age but
8 who is under 18 years of age who meets the requirements of
9 section 322.091, Florida Statutes, and has held a valid
10 learner's driver's license for at least 6 months prior to
11 October 1, 2000, may be issued a driver's license by the
12 Division of Driver Licenses of the Department of Highway
13 Safety and Motor Vehicles.

14 Section 5. This act shall take effect October 1, 2000.

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17 ===== T I T L E A M E N D M E N T =====

18 And the title is amended as follows:

19 remove from the title of the bill: the entire title

20

21 and insert in lieu thereof:

22 A bill to be entitled

23 An act relating to motor vehicles; providing a
24 short title; amending s. 316.614, F.S.;
25 requiring specified passengers to wear safety
26 belts; amending s. 322.05, F.S.; increasing the
27 required time period to hold a learner's
28 driver's license prior to issuance of a regular
29 license; providing additional requirements with
30 respect to the issuance of a driver's license;
31 providing an effective date.