

By the Committee on Transportation and Representative
Minton

1 A bill to be entitled
2 An act relating to teenage driver education;
3 amending s. 318.21, F.S.; authorizing a board
4 of county commissioners to require by ordinance
5 that a specified amount be withheld from each
6 civil fine and used to fund traffic education
7 and awareness programs; requiring that the
8 ordinance provide for administering the
9 withheld moneys; amending s. 322.05, F.S.;
10 increasing the required time period to hold a
11 learner's driver's license prior to issuance of
12 a regular license; providing additional
13 requirements with respect to the issuance of a
14 driver's license; providing for persons at
15 least 16 years of age but under 18 years of age
16 to be eligible to apply for a driver's license
17 after meeting certain requirements and holding
18 a valid learner's driver's license for at least
19 6 months; providing for a penalty for a person
20 holding a learner's driver's license who
21 operates a motor vehicle when the number of
22 passengers exceeds the number of safety belts;
23 providing an effective date.

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

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27 Section 1. Subsection (1) of section 318.21, Florida
28 Statutes, is amended to read:

29 318.21 Disposition of civil penalties by county
30 courts.--All civil penalties received by a county court
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1 pursuant to the provisions of this chapter shall be
2 distributed and paid monthly as follows:
3 (1)(a) One dollar from every civil penalty shall be
4 paid to the Department of Children and Family Services for
5 deposit into the Child Welfare Training Trust Fund for child
6 welfare training purposes pursuant to s. 402.40. One dollar
7 from every civil penalty shall be paid to the Department of
8 Juvenile Justice for deposit into the Juvenile Justice
9 Training Trust Fund for juvenile justice purposes pursuant to
10 s. 985.406.

11 (b) A board of county commissioners may require, by
12 ordinance, that the clerk of the court withhold \$2 from each
13 civil penalty resulting from traffic violations by persons
14 holding a restricted license pursuant to s. 322.16, which
15 shall be used to fund traffic education and awareness
16 programs. The ordinance shall provide for the board of county
17 commissioners to administer the funds or shall designate local
18 safety groups to receive and administer the funds.

19 Section 2. Section 322.05, Florida Statutes, is
20 amended to read:

21 322.05 Persons not to be licensed.--The department may
22 not issue a license:

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

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

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1 (a) Learner's driver's license for at least 12 6
2 months, with no traffic convictions, before applying for a
3 license; ~~or~~
4 (b) Learner's driver's license for at least 12 months
5 and who has a traffic conviction but elects to attend a
6 traffic driving school for which adjudication must be withheld
7 pursuant to s. 318.14; or
8 (c) ~~(b)~~ License that was issued in another state or in
9 a foreign jurisdiction and that would not be subject to
10 suspension or revocation under the laws of this state.
11 (3) To a person who is at least 16 years of age but
12 who is under 18 years of age unless the parent, guardian, or
13 other responsible adult meeting the requirements of s. 322.09
14 certifies that he or she, or another licensed driver 21 years
15 of age or older, has accompanied the applicant for a total of
16 not less than 50 hours behind-the-wheel experience, of which
17 not less than 10 hours shall be at night.
18 (4) ~~(3)~~ Except as provided by this subsection, to any
19 person, as a Class A licensee, Class B licensee, Class C
20 licensee, or Class D licensee, who is under the age of 18
21 years. A person age 16 or 17 years who applies for a Class D
22 driver's license is subject to all the requirements and
23 provisions of ss. 322.09 and 322.16(2) and (3). Any person
24 who applies for a Class D driver's license who is age 16 or 17
25 years must have had a learner's driver's license or a driver's
26 license for at least 90 days before he or she is eligible to
27 receive a Class D driver's license. The department may require
28 of any such applicant for a Class D driver's license such
29 examination of the qualifications of the applicant as the
30 department considers proper, and the department may limit the
31 use of any license granted as it considers proper.

1 (5)~~(4)~~ To any person whose license has been suspended,
2 during such suspension, nor to any person whose license has
3 been revoked, until the expiration of the period of revocation
4 imposed under the provisions of this chapter.

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

9 (7)~~(6)~~ To any person who is an habitual drunkard, or
10 is an habitual user of narcotic drugs, or is an habitual user
11 of any other drug to a degree which renders him or her
12 incapable of safely driving a motor vehicle.

13 (8)~~(7)~~ To any person who has been adjudged to be
14 afflicted with or suffering from any mental disability or
15 disease and who has not at the time of application been
16 restored to competency by the methods provided by law.

17 (9)~~(8)~~ To any person who is required by this chapter
18 to take an examination, unless such person shall have
19 successfully passed such examination.

20 (10)~~(9)~~ To any person, when the department has good
21 cause to believe that the operation of a motor vehicle on the
22 highways by such person would be detrimental to public safety
23 or welfare. Deafness alone shall not prevent the person
24 afflicted from being issued a Class D or Class E driver's
25 license.

26 (11)~~(10)~~ To any person who is ineligible under s.
27 322.056.

28 Section 3. Notwithstanding s. 322.05(2) and (3),
29 Florida Statutes, a person who is at least 16 years of age but
30 who is under 18 years of age who meets the requirements of s.
31 322.091, Florida Statutes, and has held a valid learner's

1 driver's license for at least 6 months prior to October 1,
2 2000, may be issued a driver's license by the Division of
3 Driver Licenses of the Department of Highway Safety and Motor
4 Vehicles.

5 Section 4. A person who is at least 16 years of age
6 but who is under 18 years of age and holds a valid learner's
7 driver's license may not operate a motor vehicle when the
8 number of passengers exceeds the number of seat belts. Any
9 person who violates the provision of this section commits a
10 nonmoving violation, punishable as provided in chapter 318,
11 Florida Statutes.

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