

By Senator Hargrett

21-664-00

See HB 113

1 A bill to be entitled
2 An act relating to suspension of a driver's
3 license; amending s. 322.2615, F.S.; providing
4 that the disposition of any related criminal
5 proceedings shall not affect a suspension of a
6 driver's license for refusal to submit to a
7 blood, breath, or urine test; directing the
8 Department of Highway Safety and Motor Vehicles
9 to invalidate a suspension for driving with an
10 unlawful blood-alcohol or breath-alcohol level
11 under certain circumstances; providing an
12 effective date.

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

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16 Section 1. Subsection (14) of section 322.2615,
17 Florida Statutes, is amended, and subsection (16) is added to
18 said section, to read:

19 322.2615 Suspension of license; right to review.--

20 (14)(a) The decision of the department under this
21 section shall not be considered in any trial for a violation
22 of s. 316.193, nor shall any written statement submitted by a
23 person in his or her request for departmental review under
24 this section be admissible into evidence against him or her in
25 any such trial.

26 (b) The disposition of any related criminal
27 proceedings shall not affect a suspension for refusal to
28 submit to a blood, breath, or urine test, authorized by s.
29 316.1932 or s. 316.1933, imposed pursuant to this section.

30 (16) Effective October 1, 2000, the department shall
31 invalidate a suspension for driving with an unlawful

1 blood-alcohol level or unlawful breath-alcohol level imposed
2 pursuant to this section if the suspended person is found not
3 guilty in a trial for the underlying violation of s. 316.193
4 or if the case is dismissed.

5 Section 2. This act shall take effect October 1, 2000.

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8 LEGISLATIVE SUMMARY

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10 Provides that the Department of Highway Safety and Motor
11 Vehicles shall invalidate a suspension for driving with
12 an unlawful blood-alcohol or breath-alcohol level imposed
13 pursuant to s. 322.2615, F.S., if the suspended person is
14 found not guilty of an underlying violation of s.
15 316.193, F.S., at trial or if the case is dismissed.

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