

By the Committee on Criminal Justice and Senator Hargrett

307-2027-00

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 but a suspension shall not be invalidated if the case is
5 dismissed by the court, nolle prossed, or adjudication is
6 withheld.

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

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9 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
10 COMMITTEE SUBSTITUTE FOR
11 Senate Bill 1276

12 Provides that a license suspension shall not be invalidated if
13 the DUI case is dismissed by the court, nolle prossed, or
14 adjudication of guilt is withheld.
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