

By Senator Klein

28-792B-00

1 A bill to be entitled
2 An act relating to motor vehicles; amending s.
3 316.614, F.S.; requiring specified passengers
4 to wear safety belts; amending s. 322.05, F.S.;
5 providing additional requirements with respect
6 to the issuance of a driver's license to
7 certain persons; providing an effective date.

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

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11 Section 1. Subsections (4) and (5) of section 316.614,
12 Florida Statutes, are amended to read:

13 316.614 Safety belt usage.--

14 (4) It is unlawful for any person:

15 (a) To operate a motor vehicle in this state unless
16 each passenger of the vehicle under the age of 18 ~~16~~ years is
17 restrained by a safety belt or by a child restraint device
18 pursuant to s. 316.613, if applicable; or

19 (b) To operate a motor vehicle in this state unless
20 the person is restrained by a safety belt.

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

25 Section 2. Section 322.05, Florida Statutes, is
26 amended to read:

27 322.05 Persons not to be licensed.--The department may
28 not issue a license:

29 (1) To a person who is under the age of 16 years,
30 except that the department may issue a learner's driver's
31 license to a person who is at least 15 years of age and who

1 meets the requirements of ss. 322.091 and 322.1615 and of any
2 other applicable law or rule.

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

6 (a) Learner's driver's license for at least 6 months,
7 with no convictions for moving violations or violations of the
8 traffic laws involving alcohol or controlled substances within
9 the preceding 6 months before applying for a license; or

10 (b) License that was issued in another state or in a
11 foreign jurisdiction and that would not be subject to
12 suspension or revocation under the laws of this state.

13 (3) To a person who is under 18 years of age unless
14 the parent, guardian, or other responsible adult meeting the
15 requirements of s. 322.09 or a private driving instructor
16 certifies that he or she, or another licensed driver age 21 or
17 older, has accompanied the applicant for a total of not less
18 than 40 hours' behind-the-wheel experience, of which not less
19 than 10 hours must be at night.

20 (4)~~(3)~~ Except as provided by this subsection, to any
21 person, as a Class A licensee, Class B licensee, Class C
22 licensee, or Class D licensee, who is under the age of 18
23 years. A person age 16 or 17 years who applies for a Class D
24 driver's license is subject to all the requirements and
25 provisions of ss. 322.09 and 322.16(2) and (3). Any person
26 who applies for a Class D driver's license who is age 16 or 17
27 years must have had a learner's driver's license or a driver's
28 license for at least 90 days before he or she is eligible to
29 receive a Class D driver's license. The department may require
30 of any such applicant for a Class D driver's license such
31 examination of the qualifications of the applicant as the

1 department considers proper, and the department may limit the
2 use of any license granted as it considers proper.

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

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

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

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

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

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

28 (11)~~(10)~~ To any person who is ineligible under s.
29 322.056.

30 Section 3. This act shall take effect July 1, 2000.

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SENATE SUMMARY

Makes it unlawful for any person to operate a motor vehicle unless all passengers under the age of 18 are wearing safety belts. Prohibits the issuance of drivers' licenses to persons under 18 years of age unless they have specified driving experience and have had no convictions for moving violations or certain violations involving alcohol or controlled substances within the preceding 6-month period.