

By Senator Geller

29-1220-00

See HB

1                                   A bill to be entitled  
2           An act relating to teenage driver education;  
3           authorizing a board of county commissioners to  
4           require by ordinance that a specified amount be  
5           withheld from each civil fine and used to fund  
6           traffic education and awareness programs;  
7           requiring that the ordinance provide for  
8           administering the withheld moneys; amending s.  
9           322.05, F.S.; increasing the required time  
10          period to hold a learner's driver's license  
11          prior to issuance of a regular license;  
12          providing additional requirements with respect  
13          to the issuance of a driver's license;  
14          providing an effective date.

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

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18           Section 1. A board of county commissioners may  
19 require, by ordinance, that the clerk of the court withhold \$2  
20 from each civil penalty, which shall be used to fund traffic  
21 education and awareness programs. The ordinance shall provide  
22 for the board of county commissioners to administer the funds  
23 or shall designate local safety groups to receive and  
24 administer the funds.

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 12 6  
7 months after July 1, 2000, with no traffic convictions, before  
8 applying for a license; or

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

12 (3) To a person who is at least 16 years of age but is  
13 under 18 years of age unless the parent, guardian, or other  
14 responsible adult meeting the requirements of s. 322.09  
15 certifies that he or she, or another licensed driver age 21 or  
16 older, has accompanied the applicant for a total of not less  
17 than 50 hours behind-the-wheel experience, of which not less  
18 than 10 hours shall be at night.

19 (4)(3) Except as provided by this subsection, to any  
20 person, as a Class A licensee, Class B licensee, Class C  
21 licensee, or Class D licensee, who is under the age of 18  
22 years. A person age 16 or 17 years who applies for a Class D  
23 driver's license is subject to all the requirements and  
24 provisions of ss. 322.09 and 322.16(2) and (3). Any person  
25 who applies for a Class D driver's license who is age 16 or 17  
26 years must have had a learner's driver's license or a driver's  
27 license for at least 90 days before he or she is eligible to  
28 receive a Class D driver's license. The department may require  
29 of any such applicant for a Class D driver's license such  
30 examination of the qualifications of the applicant as the  
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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 October 1, 2000.

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LEGISLATIVE SUMMARY

Authorizes the board of county commissioners to require by ordinance that \$2 of each civil penalty be withheld from civil fines and used to fund traffic education and awareness programs. Provides additional persons who may not be licensed under described circumstances. (See bill for details.)