

By Representative Alexander

1                                   A bill to be entitled  
2           An act relating to traffic control; amending s.  
3           316.650, F.S.; requiring the issuance of a copy  
4           of the Traffic School Reference Guide with  
5           traffic citations; amending s. 318.14, F.S.;  
6           deleting reference to a restriction on the  
7           number of elections a person may make to attend  
8           a basic driver improvement course; amending s.  
9           318.1451, F.S.; providing an assessment fee  
10          with respect to driver improvement courses for  
11          persons who are ordered by the court to attend  
12          and for certain other violations; amending s.  
13          322.0261, F.S.; deleting reference to a time  
14          period with respect to two or more crashes by  
15          the same operator for the screening of certain  
16          crash reports; creating s. 322.02615, F.S.;  
17          providing for mandatory driver improvement  
18          courses for certain violations; amending s.  
19          322.05, F.S.; adding a condition for the  
20          issuance of a driver's license to certain  
21          persons; providing an effective date.

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23           WHEREAS, over 240,000 injuries and crashes involving  
24          motor vehicles occur in Florida each year, which constitutes  
25          an injury and crash every 2 minutes, and

26           WHEREAS, motor vehicle crashes are a leading cause of  
27          death in the State of Florida, with a fatality occurring every  
28          three hours as a direct result of these crashes, and

29           WHEREAS, motor vehicle crashes are the leading cause of  
30          death for teenagers, and

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1 WHEREAS, in the last decade, over 68,000 teens have  
2 died in motor vehicle crashes, and

3 WHEREAS, the Insurance Institute for Highway Safety  
4 found that teenage drivers (ages 15-20) make up only 7 percent  
5 of the driving population, but are involved in 14 percent of  
6 all crashes and in 21 percent of fatal crashes, and

7 WHEREAS, driver improvement education and training has  
8 proven to significantly reduce the number of crashes, and

9 WHEREAS, the Florida Department of Highway Safety and  
10 Motor Vehicles found, in an independent study of driver  
11 improvement courses offered in the state, that the courses  
12 were as much as twenty percent effective at reducing motor  
13 vehicle crash recidivism, and

14 WHEREAS, it is the intent of the Legislature that the  
15 citizens of the State of Florida are provided with driver  
16 improvement education and training in an effort to reduce  
17 motor vehicle crashes, NOW, THEREFORE,

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

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21 Section 1. Subsection (3) of section 316.650, Florida  
22 Statutes, is amended to read:

23 316.650 Traffic citations.--

24 (3) Every traffic enforcement officer, upon issuing a  
25 traffic citation to an alleged violator of any provision of  
26 the motor vehicle laws of this state or of any traffic  
27 ordinance of any city or town, shall issue a copy of the  
28 Traffic School Reference Guide and shall deposit the original  
29 citation and one copy of such traffic citation or, in the case  
30 of a traffic enforcement agency which has an automated  
31 citation issuance system, shall provide an electronic

1 facsimile with a court having jurisdiction over the alleged  
2 offense or with its traffic violations bureau within 5 days  
3 after issuance to the violator.

4 Section 2. Subsection (9) of section 318.14, Florida  
5 Statutes, is amended to read:

6 318.14 Noncriminal traffic infractions; exception;  
7 procedures.--

8 (9) Any person who is cited for an infraction under  
9 this section other than a violation of s. 320.0605, s.  
10 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.61, or  
11 s. 322.62 may, in lieu of a court appearance, elect to attend  
12 in the location of his or her choice within this state a basic  
13 driver improvement course approved by the Department of  
14 Highway Safety and Motor Vehicles. In such a case,  
15 adjudication must be withheld; points, as provided by s.  
16 322.27, may not be assessed; and the civil penalty that is  
17 imposed by s. 318.18(3) must be reduced by 18 percent;  
18 however, a person may not make an election under this  
19 subsection if the person has made an election under this  
20 subsection in the preceding 12 months. ~~A person may make no~~  
21 ~~more than five elections under this subsection.~~The  
22 requirement for community service under s. 318.18(8) is not  
23 waived by a plea of nolo contendere or by the withholding of  
24 adjudication of guilt by a court.

25 Section 3. Subsection (4) of section 318.1451, Florida  
26 Statutes, is amended to read:

27 318.1451 Driver improvement schools.--

28 (4) In addition to a regular course fee, an assessment  
29 fee in the amount of \$2.50 shall be collected by the school  
30 from each person who is court ordered to attend a course or  
31 elects to attend a course, as it relates to ss. 318.14(9),

1 322.0261, 322.0265, 322.05(2), 322.291, and 627.06501, which  
2 shall be remitted to the Department of Highway Safety and  
3 Motor Vehicles and deposited in the Highway Safety Operating  
4 Trust Fund to administer this program and to fund the general  
5 operations of the department.

6 Section 4. Paragraph (b) of subsection (1) and  
7 subsection (2) of section 322.0261, Florida Statutes, are  
8 amended to read:

9 322.0261 Mandatory driver improvement course; certain  
10 crashes.--

11 (1) The department shall screen crash reports received  
12 under s. 316.066 or s. 324.051 to identify crashes involving  
13 the following:

14 (b) A second crash by the same operator ~~within the~~  
15 ~~previous 2-year period~~ involving property damage in an  
16 apparent amount of at least \$500.

17 (2) With respect to an operator convicted of, or who  
18 pleaded nolo contendere to, a traffic offense giving rise to a  
19 crash identified pursuant to subsection (1), the department  
20 shall require that the operator, in addition to other  
21 applicable penalties, attend a departmentally approved basic  
22 driver improvement course in order to maintain driving  
23 privileges. If the operator fails to complete the course  
24 within 90 days of receiving notice from the department, the  
25 operator's driver's license shall be canceled by the  
26 department until the course is successfully completed.

27 Section 5. Section 322.02615, Florida Statutes, is  
28 created to read:

29 322.02615 Mandatory driver improvement course; certain  
30 violations.--

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1       (1) The department shall screen reports of convictions  
2 for violations of chapter 316 to identify operators who:

3           (a) Are less than 21 years of age and have been  
4 convicted of, or pleaded nolo contendere to, a noncriminal  
5 moving infraction and also have been convicted of, or pleaded  
6 nolo contendere to, another noncriminal moving infraction  
7 since initial license issuance.

8           (b) Have been convicted of, or pleaded nolo contendere  
9 to, more than one noncriminal moving infraction in a 12-month  
10 period.

11       (2) With respect to an operator convicted of, or who  
12 pleaded nolo contendere to, a noncriminal traffic offense  
13 identified under subsection (1), the department shall require  
14 that the operator, in addition to other applicable penalties,  
15 attend a departmentally approved basic driver improvement  
16 course in order to maintain driving privileges. If the  
17 operator fails to complete the course within 90 days after  
18 receiving notice from the department, the operator's driver's  
19 license shall be canceled by the department until the course  
20 is successfully completed.

21       (3) Attendance of a course approved by the department  
22 as a driver improvement course for purposes of s. 318.14(9)  
23 shall satisfy the requirements of this section. However,  
24 attendance of a course as required by this section is not  
25 included in the limitation on course elections under s.  
26 318.14(9).

27       Section 6. Subsection (2) of section 322.05, Florida  
28 Statutes, is amended to read:

29       322.05 Persons not to be licensed.--The department may  
30 not issue a license:

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