

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, 322.02615, 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 \$2,500~~\$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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1 (2) To a person who is at least 16 years of age but is
2 under 18 years of age unless the person has satisfactorily
3 completed a Department of Education driver's education course
4 offered pursuant to s. 233.063 or a driver's education course
5 licensed pursuant to s. 488.01 or a basic driver improvement
6 course which has been approved by the Department of Highway
7 Safety and Motor Vehicles and meets the requirements of s.
8 322.091 and holds a valid:

9 (a) Learner's driver's license for at least 6 months
10 before applying for a license; or

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

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