

1
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 and increasing the amount of damage
15 required with respect to a crash for the
16 screening of certain crash reports; creating s.
17 322.02615, F.S.; providing for mandatory driver
18 improvement courses for certain violations;
19 amending s. 320.01, F.S.; redefining the term
20 "motor vehicle"; providing an effective date.

21
22 WHEREAS, over 240,000 injuries and crashes involving
23 motor vehicles occur in Florida each year, which constitutes
24 an injury and crash every 2 minutes, and

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

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

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

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

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

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

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

16

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

18

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

21 316.650 Traffic citations.--

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

31

1 offense or with its traffic violations bureau within 5 days
2 after issuance to the violator.

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

5 318.14 Noncriminal traffic infractions; exception;
6 procedures.--

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

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

26 318.1451 Driver improvement schools.--

27 (4) In addition to a regular course fee, an assessment
28 fee in the amount of \$2.50 shall be collected by the school
29 from each person who is court ordered to attend a course or
30 elects to attend a course, as it relates to ss. 318.14(9),
31 322.0261, 322.02615, 322.05(2), 322.291, and 627.06501, which

1 shall be remitted to the Department of Highway Safety and
2 Motor Vehicles and deposited in the Highway Safety Operating
3 Trust Fund to administer this program and to fund the general
4 operations of the department.

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

8 322.0261 Mandatory driver improvement course; certain
9 crashes.--

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

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

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

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

28 322.02615 Mandatory driver improvement course; certain
29 violations.--

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

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

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

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

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

25 Section 6. Paragraph (b) of subsection (1) of section
26 320.01, Florida Statutes, is amended to read:

27 320.01 Definitions, general.--As used in the Florida
28 Statutes, except as otherwise provided, the term:

29 (1) "Motor vehicle" means:

30 (b) A recreational vehicle-type unit primarily
31 designed as temporary living quarters for recreational,

1 camping, or travel use, which either has its own motive power
2 or is mounted on or drawn by another vehicle. Recreational
3 vehicle-type units, when traveling on the public roadways of
4 this state, must comply with the length and width provisions
5 of s. 316.515, as that section may hereafter be amended. As
6 defined below, the basic entities are:

7 1. The "travel trailer," which is a vehicular portable
8 unit, mounted on wheels, of such a size or weight as not to
9 require special highway movement permits when drawn by a
10 motorized vehicle. It is primarily designed and constructed to
11 provide temporary living quarters for recreational, camping,
12 or travel use. It has a body width of no more than 8 1/2 feet
13 and an overall body length of no more than 40 feet when
14 factory-equipped for the road.

15 2. The "camping trailer," which is a vehicular
16 portable unit mounted on wheels and constructed with
17 collapsible partial sidewalls which fold for towing by another
18 vehicle and unfold at the campsite to provide temporary living
19 quarters for recreational, camping, or travel use.

20 3. The "truck camper," which is a truck equipped with
21 a portable unit designed to be loaded onto, or affixed to, the
22 bed or chassis of the truck and constructed to provide
23 temporary living quarters for recreational, camping, or travel
24 use.

25 4. The "motor home," which is a vehicular unit which
26 does not exceed the 40 feet in length, and the height, and the
27 width limitations provided in s. 316.515, is a self-propelled
28 motor vehicle, and is primarily designed to provide temporary
29 living quarters for recreational, camping, or travel use.

30 5. The "private motor coach," which is a vehicular
31 unit which does not exceed the length, width, and height

1 limitations provided in s. 316.515(9), is built on a
2 self-propelled bus type chassis having no fewer than three
3 load-bearing axles, and is primarily designed to provide
4 temporary living quarters for recreational, camping, or travel
5 use.

6 6. The "van conversion," which is a vehicular unit
7 which does not exceed the length and width limitations
8 provided in s. 316.515, is built on a self-propelled motor
9 vehicle chassis, and is designed for recreation, camping, and
10 travel use.

11 7. The "park trailer," which is a transportable unit
12 which has a body width not exceeding 14 feet and which is
13 built on a single chassis and is designed to provide seasonal
14 or temporary living quarters when connected to utilities
15 necessary for operation of installed fixtures and appliances.
16 The total area of the unit in a setup mode, when measured from
17 the exterior surface of the exterior stud walls at the level
18 of maximum dimensions, not including any bay window, does not
19 exceed 400 square feet when constructed to ANSI A-119.5
20 standards, and 500 square feet when constructed to United
21 States Department of Housing and Urban Development Standards.
22 The length of a park trailer means the distance from the
23 exterior of the front of the body (nearest to the drawbar and
24 coupling mechanism) to the exterior of the rear of the body
25 (at the opposite end of the body), including any protrusions.

26 8. The "fifth-wheel trailer," which is a vehicular
27 unit mounted on wheels, designed to provide temporary living
28 quarters for recreational, camping, or travel use, of such
29 size or weight as not to require a special highway movement
30 permit, of gross trailer area not to exceed 400 square feet in
31 the setup mode, and designed to be towed by a motorized

1 vehicle that contains a towing mechanism that is mounted above
2 or forward of the tow vehicle's rear axle.

3 Section 7. This act shall take effect October 1, 2000.
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31