

By Senator Mitchell

4-552-01

1 A bill to be entitled
2 An act relating to driver's licenses; amending
3 s. 322.16, F.S.; providing that it is a
4 noncriminal traffic infraction for a driver who
5 is less than a specified age to operate a motor
6 vehicle, during a certain period after being
7 issued a license, which has more than one
8 passenger who is less than a specified age;
9 providing exceptions; amending ss. 318.14,
10 322.05, F.S.; conforming provisions to changes
11 made by the act; providing an effective date.

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

14
15 Section 1. Present subsections (4), (5), and (6) of
16 section 322.16, Florida Statutes, are redesignated as
17 subsections (5), (6), and (7), respectively, and amended, and
18 a new subsection (4) is added to that section, to read:

19 322.16 License restrictions.--

20 (4) Within the first 6 months after being issued a
21 driver's license, a driver may not operate a motor vehicle
22 that has more than one passenger who is less than 21 years of
23 age and not a member of the driver's immediate family, unless:

24 (a) The driver is at least 18 years of age; or

25 (b) A licensed driver who is at least 21 years of age
26 is in the front seat of the motor vehicle while the vehicle is
27 being operated.

28 (5)~~(4)~~ The department may, upon receiving satisfactory
29 evidence of any violation of the restriction upon such a
30 license, except a violation of paragraph (1)(d), subsection
31 (2), ~~or~~ subsection (3), or subsection (4), suspend or revoke

1 the license, but the licensee is entitled to a hearing as upon
2 a suspension or revocation under this chapter.

3 (6)~~(5)~~ It is a misdemeanor of the second degree,
4 punishable as provided in s. 775.082 or s. 775.083, for any
5 person to operate a motor vehicle in any manner in violation
6 of the restrictions imposed in a license issued to him or her,
7 except for a violation of paragraph (1)(d), subsection (2), ~~or~~
8 subsection (3), or subsection (4).

9 (7)~~(6)~~ Any person who operates a motor vehicle in
10 violation of the restrictions imposed in subsection (2), ~~or~~
11 subsection (3), or subsection (4) will be charged with a
12 moving violation and fined in accordance with chapter 318.

13 Section 2. Subsection (1) of section 318.14, Florida
14 Statutes, is amended to read:

15 318.14 Noncriminal traffic infractions; exception;
16 procedures.--

17 (1) Except as provided in ss. 318.17 and 320.07(3)(c),
18 any person cited for a violation of s. 240.265, chapter 316,
19 s. 320.0605, s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1),
20 s. 322.16(2), s. 322.16(3), s. 322.16(4) ~~or (3)~~, s.
21 322.161(5), or s. 322.19 is charged with a noncriminal
22 infraction and must be cited for such an infraction and cited
23 to appear before an official. If another person dies as a
24 result of the noncriminal infraction, the person cited may be
25 required to perform 120 community service hours under s.
26 316.027(4), in addition to any other penalties.

27 Section 3. Subsection (4) 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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