

By the Council for Smarter Government and Committee on
Criminal Justice Appropriations and Representatives Ross and
Rubio

1 A bill to be entitled
2 An act relating to civil penalties; amending s.
3 318.21, F.S.; authorizing use of civil
4 penalties to fund local law enforcement
5 automation under certain circumstances;
6 amending s. 318.1451, F.S.; removing provision
7 that prohibits governmental entities and the
8 court from providing information regarding
9 driver improvement schools or course providers;
10 authorizing the department and the court to
11 prepare a traffic school reference guide and
12 specifying what information shall be included
13 therein; providing an effective date.

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

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17 Section 1. Subsection (9) of section 318.21, Florida
18 Statutes, as amended by chapter 2001-122, Laws of Florida, is
19 amended to read:

20 318.21 Disposition of civil penalties by county
21 courts.--All civil penalties received by a county court
22 pursuant to the provisions of this chapter shall be
23 distributed and paid monthly as follows:

24 (9) Twelve dollars and fifty cents from each moving
25 traffic violation must be used by the county to fund that
26 county's participation in an intergovernmental radio
27 communication program approved by the Department of Management
28 Services. If the county is not participating in such a
29 program, funds collected must be used to fund local law
30 enforcement automation and must be distributed to the
31 municipality or special improvement district in which the

1 violation occurred or to the county if the violation occurred
2 within the unincorporated area of the county. If a
3 municipality within the county maintains an independent 800
4 megahertz radio communication program that can communicate
5 with the county's system or if the mutual-aid channels are
6 compatible, funds collected from violations that occur within
7 the territorial jurisdiction of that municipality must be used
8 to fund local law enforcement automation and must be
9 distributed to that municipality.

10 Section 2. Subsection (5) of section 318.1451, Florida
11 Statutes, is amended to read:

12 318.1451 Driver improvement schools.--

13 (5)(a) ~~No governmental entity or court shall provide,~~
14 ~~issue, or maintain any information or orders regarding driver~~
15 ~~improvement schools or course providers, with the exception of~~
16 ~~directing inquiries or requests to the local telephone~~
17 ~~directory heading of driving instruction or the traffic school~~
18 ~~reference guide. However,~~The department is authorized to
19 maintain the information and records necessary to administer
20 its duties and responsibilities for driver improvement
21 courses. Where such information is a public record as defined
22 in chapter 119, it shall be made available to the public upon
23 request pursuant to s. 119.07(1).

24 (b) The department or the court may ~~shall~~ prepare for
25 ~~any governmental entity to distribute~~ a traffic school
26 reference guide which lists ~~shall list~~ the benefits of
27 attending a driver improvement school and which contains the
28 names of the fully approved course providers with a single
29 telephone number, furnished by the provider, for each
30 provider, ~~but under no circumstance may any list of course~~
31 ~~providers or schools be included, and shall refer further~~

1 ~~inquiries to the telephone directory under driving~~
2 ~~instruction.~~

3 Section 3. This act shall take effect July 1, 2002.
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