

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 242

SPONSOR: Transportation Committee and Senator Saunders

SUBJECT: Driver's Licenses Suspension

DATE: February 20, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>McAuliffe</u>	<u>Meyer</u>	<u>TR</u>	<u>Favorable/CS</u>
2.	<u>Dugger</u>	<u>Cannon</u>	<u>CJ</u>	<u>Favorable</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The CS requires a law enforcement agency to notify the Department of Highway Safety and Motor Vehicles (DHSMV) within 24 hours after any traffic fatality or commission of an offense for which mandatory revocation of license upon conviction is required.

This CS substantially amends section 322.27 of the Florida Statutes.

II. Present Situation:

Section 322.27, F.S., authorizes DHSMV to suspend the license of any person without preliminary hearing upon a showing of its records or other sufficient evidence that the licensee has committed an offense for which mandatory revocation of license is required upon conviction.

Section 322.26, F.S., lists criminal offenses for which a conviction will result in the mandatory revocation of a driver's license. The Florida Uniform Traffic Citation Procedures Manual, maintained by DHSMV, requires a citation be prepared and forwarded to DHSMV any time a defendant is charged with an offense listed in s. 322.26, F.S. Upon receipt of the citation, DHSMV will make an entry into the driver's record. In many instances, citations are issued many days after the offense has occurred; therefore, DHSMV does not suspend the driver's license of the offender until many days after the offense has occurred.

III. Effect of Proposed Changes:

The CS amends s. 322.27, F.S., to require a law enforcement agency to notify DHSMV within 24 hours after any traffic fatality or commission of an offense for which mandatory revocation of license upon conviction is required.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The sooner DHSMV receives notice or other sufficient evidence that the licensee has committed an offense for which mandatory revocation of license is required upon conviction, then the quicker his or her license will be suspended.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.