

1 A bill to be entitled

2 An act relating to driving under the influence; amending  
3 s. 316.193, F.S.; providing for using certain records of  
4 the Department of Highway Safety and Motor Vehicles as  
5 evidence establishing existence of certain previous  
6 violations; providing for rebutting or contradicting of  
7 such evidence; providing an effective date.

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

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11 Section 1. Subsection (12) is added to section 316.193,  
12 Florida Statutes, to read:

13 316.193 Driving under the influence; penalties.--

14 (12) If records of the department show that the defendant  
15 has been previously convicted of driving under the influence,  
16 that evidence is sufficient by itself to establish such  
17 conviction or convictions. However, such evidence may be  
18 contradicted or rebutted by other evidence. This presumption may  
19 be considered, together with any other evidence presented, in  
20 deciding if such person has been previously convicted of driving  
21 under the influence.

22 Section 2. This act shall take effect upon becoming a law.