

By Senator Saunders

37-79-04

1 A bill to be entitled
2 An act relating to the Department of Highway
3 Safety and Motor Vehicles; amending s. 322.20,
4 F.S.; requiring the department to maintain
5 certain records of convictions for persons
6 holding a foreign driver's license; amending s.
7 322.27, F.S.; requiring law enforcement
8 agencies to notify the department of any
9 traffic fatality or when a law enforcement
10 agency initiates action to obtain a blood test
11 for impairment in a case of death or serious
12 bodily injury; providing an effective date.

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

15
16 Section 1. Subsection (2) of section 322.20, Florida
17 Statutes, is amended to read:

18 322.20 Records of the department; fees; destruction of
19 records.--

20 (2) The department shall also maintain a record of all
21 crash reports, abstracts of court records of convictions, and
22 notices of revocation or suspension of a person's driver's
23 license or driving privilege. Records of convictions of a
24 person holding a foreign license shall be maintained by the
25 department if the uniform traffic citation indicates an
26 address located in this state.

27 Section 2. Subsection (1) of section 322.27, Florida
28 Statutes, is amended to read:

29 322.27 Authority of department to suspend or revoke
30 license.--

31

1 (1) Notwithstanding any provisions to the contrary in
2 chapter 120, the department is hereby authorized to suspend
3 the license of any person without preliminary hearing upon a
4 showing of its records or other sufficient evidence that the
5 licensee:

6 (a) Has committed an offense for which mandatory
7 revocation of license is required upon conviction. A law
8 enforcement agency must provide information to the department
9 within 24 hours after any traffic fatality or when the law
10 enforcement agency initiates action pursuant to s. 316.1933;

11 (b) Has been convicted of a violation of any traffic
12 law which resulted in a crash that caused the death or
13 personal injury of another or property damage in excess of
14 \$500;

15 (c) Is incompetent to drive a motor vehicle;

16 (d) Has permitted an unlawful or fraudulent use of
17 such license or has knowingly been a party to the obtaining of
18 a license by fraud or misrepresentation or to display, or
19 represent as one's own, any driver's license not issued him or
20 her. Provided, however, no provision of this section shall be
21 construed to include the provisions of s. 322.32(1);

22 (e) Has committed an offense in another state which if
23 committed in this state would be grounds for suspension or
24 revocation; or

25 (f) Has committed a second or subsequent violation of
26 s. 316.172(1) within a 5-year period of any previous
27 violation.

28 Section 3. This act shall take effect July 1, 2004.
29
30
31

1
2
3
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

SENATE SUMMARY

Requires the Department of Highway Safety and Motor Vehicles to maintain records of convictions of certain persons holding foreign licenses. Requires law enforcement agencies to provide information to the Department of Highway and Safety and Motor Vehicles within 24 hours after traffic fatalities or certain other offenses.