

HB 0115

2005

A bill to be entitled

An act relating to highway safety; amending s. 316.650, F.S.; providing for a parental notification system to be developed by the Department of Highway Safety and Motor Vehicles; requiring notification to the parent, guardian, or other responsible adult who signed the driver license application of a person under 18 years of age when a written warning or citation has been issued to that person for a violation of traffic law; providing for content of the notification; amending s. 322.09, F.S.; requiring a parent, guardian, or other responsible adult signing the driver license application of a minor to provide certain contact information; providing an effective date.

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

Section 1. Subsection (1) of section 316.650, Florida Statutes, is amended to read:

316.650 Traffic citations; parental notification system.--

(1)(a) The department shall prepare, and supply to every traffic enforcement agency in this state, an appropriate form traffic citation containing a notice to appear (which shall be issued in prenumbered books with citations in quintuplicate) and meeting the requirements of this chapter or any laws of this state regulating traffic, which form shall be consistent with the state traffic court rules and the procedures established by the department. Upon all future printings of the traffic citation, the form shall include a special box which is to be checked by the law enforcement officer when the officer believes

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30 that the traffic violation or crash was due to aggressive
31 careless driving as defined in s. 316.1923.

32 (b) The department shall prepare, and supply to every
33 traffic enforcement agency in the state, an appropriate
34 affidavit-of-compliance form which shall be issued along with
35 the form traffic citation for any violation of s. 316.610 and
36 which shall indicate the specific defect which needs to be
37 corrected. However, such affidavit of compliance shall not be
38 issued in the case of a violation of s. 316.610 by a commercial
39 motor vehicle as defined in s. 316.003(66). Such affidavit-of-
40 compliance form shall be distributed in the same manner and to
41 the same parties as is the form traffic citation.

42 (c) The department shall develop a notification system
43 that shall be utilized by traffic law enforcement officers to
44 assist in the notification of the parent, guardian, or other
45 responsible adult who signed the application for a driver
46 license of a person under 18 years of age when the officer cites
47 or warns such person of a violation of traffic law. The
48 notification shall include the time and date the motor vehicle
49 was stopped, the reason the motor vehicle was stopped, the
50 number of people in the motor vehicle, the name of the driver
51 stopped, and the name of the officer who issued the citation or
52 warning. Such notifications shall be mailed by the department to
53 the address provided by the parent, guardian, or other
54 responsible adult in compliance with s. 322.09(1)(b). If no
55 address is on file pursuant to s. 322.09(1)(b), the department
56 shall mail the notification to the address on record for the
57 driver.

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58 (d)(e) Notwithstanding paragraphs (a), ~~and (b)~~, and (c), a
 59 traffic enforcement agency may produce uniform traffic citations
 60 by electronic means. Such citations must be consistent with the
 61 state traffic court rules and the procedures established by the
 62 department; must be appropriately numbered and inventoried; and
 63 may have fewer copies than the quintuplicate form. Affidavit-of-
 64 compliance forms and any form required by the parental
 65 notification system may also be produced by electronic means.

66 (e)(d) The department must distribute to every traffic
 67 enforcement agency and to any others who request it, a traffic
 68 infraction reference guide describing the class of the traffic
 69 infraction, the penalty for the infraction, the points to be
 70 assessed on a driver's license, and any other information
 71 necessary to describe a violation and the penalties therefor.

72 Section 2. Subsection (1) of section 322.09, Florida
 73 Statutes, is amended to read:

74 322.09 Application of minors; responsibility for
 75 negligence or misconduct of minor.--

76 (1)(a) The application of any person under the age of 18
 77 years for a driver's license must be signed and verified before
 78 a person authorized to administer oaths by the father, mother,
 79 or guardian, or, if there is no parent or guardian, by another
 80 responsible adult who is willing to assume the obligation
 81 imposed under this chapter upon a person signing the application
 82 of a minor. This section does not apply to a person under the
 83 age of 18 years who is emancipated by marriage.

84 (b) The parent, guardian, or other responsible adult
 85 signing the application of a minor pursuant to this section must
 86 furnish an address with the application for the purpose of being

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87 contacted in the event that the minor applicant is issued a
88 written warning or a citation for a violation of traffic law.

89 (c)(b) There shall be submitted with each application a
90 certified copy of a United States birth certificate, a valid
91 United States passport, an alien registration receipt card
92 (green card), an employment authorization card issued by the
93 United States Department of Homeland Security, or proof of
94 nonimmigrant classification provided by the United States
95 Department of Homeland Security, for an original license.

96 Section 3. This act shall take effect October 1, 2005.