



1 from passing, to arrive at a given destination ahead of  
2 another motor vehicle or motor vehicles, or to test the  
3 physical stamina or endurance of drivers over long-distance  
4 driving routes.

5 (2)(a) A person may not:

6 1. Drive any motor vehicle, including any motorcycle,  
7 in any race, ~~+~~ speed competition or contest, ~~+~~ drag race or  
8 acceleration contest, ~~+~~ test of physical endurance, or  
9 exhibition of speed or acceleration ~~+~~ or for the purpose of  
10 making a speed record on any highway, roadway, or parking  
11 lot; ~~and a person may not~~

12 2. In any manner participate in, coordinate,  
13 facilitate, or collect moneys at any location for any such  
14 race, competition, contest, test, or exhibition;

15 3. Ride as a passenger in any such race, competition,  
16 contest, test, or exhibition; or

17 4. Purposefully cause the movement of traffic to slow  
18 or stop for ~~+~~ any such race, competition, contest, test, or  
19 exhibition.

20  
21 Any person who violates any provision of this paragraph  
22 commits a misdemeanor of the first ~~second~~ degree, punishable  
23 as provided in s. 775.082 or s. 775.083. Any person who  
24 violates any provision of this paragraph shall pay a fine of  
25 not less than ~~\$500~~ \$250 and not more than ~~\$1,000~~ \$500, and the  
26 department shall revoke the driver license of a person so  
27 convicted for 1 year. A hearing may be requested pursuant to  
28 s. 322.271.

29 (b) Any person who violates paragraph (a) within 5  
30 years after the date of a prior violation that resulted in a  
31 conviction for a violation of this subsection commits a felony

1 ~~misdemeanor~~ of the third first degree, punishable as provided  
2 in s. 775.082, ~~or~~ s. 775.083, or s. 775.084, and shall pay a  
3 fine of not less than ~~\$1,000~~\$500 and not more than \$5,000  
4 ~~\$1,000~~. The department shall also revoke the driver license of  
5 that person for 2 years. A hearing may be requested pursuant  
6 to s. 322.271.

7 (c) In any case charging a violation of paragraph (a),  
8 the court shall be provided a copy of the driving record of  
9 the person charged and may obtain any records from any other  
10 source to determine if one or more prior convictions of the  
11 person for violation of paragraph (a) have occurred within 5  
12 years prior to the charged offense.

13 (3) Whenever a law enforcement officer determines that  
14 a person was engaged in a drag race or race, as described in  
15 subsection (1), the officer may immediately arrest and take  
16 such person into custody. The court may enter an order of  
17 impoundment or immobilization as a condition of incarceration  
18 or probation. Within 7 business days after the date the court  
19 issues the order of impoundment or immobilization, the clerk  
20 of the court must send notice by certified mail, return  
21 receipt requested, to the registered owner of the motor  
22 vehicle, if the registered owner is a person other than the  
23 defendant, and to each person of record claiming a lien  
24 against the motor vehicle.

25 (a) Notwithstanding any provision of law to the  
26 contrary, the impounding agency shall release a motor vehicle  
27 under the conditions provided in s. 316.193(6)(e), (f), (g),  
28 and (h), if the owner or agent presents a valid driver license  
29 at the time of pickup of the motor vehicle.

30 (b) All costs and fees for the impoundment or  
31 immobilization, including the cost of notification, must be

1 | paid by the owner of the motor vehicle or, if the motor  
2 | vehicle is leased or rented, by the person leasing or renting  
3 | the motor vehicle, unless the impoundment or immobilization  
4 | order is dismissed. All provisions of s. 713.78 shall apply.

5 |       (4) Any motor vehicle used in violation of subsection  
6 | (2) may be seized and forfeited as provided by the Florida  
7 | Contraband Forfeiture Act.

8 |       ~~(5)~~(4) This section does not apply to licensed or duly  
9 | authorized racetracks, drag strips, or other designated areas  
10 | set aside by proper authorities for such purposes.

11 |       Section 2. This act shall take effect October 1, 2005.

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