



1 the license, but the licensee is entitled to a hearing as upon  
2 a suspension or revocation under this chapter.

3 ~~(6)~~~~(5)~~ It is a misdemeanor of the second degree,  
4 punishable as provided in s. 775.082 or s. 775.083, for any  
5 person to operate a motor vehicle in any manner in violation  
6 of the restrictions imposed in a license issued to him or her  
7 except for a violation of paragraph (1)(d), subsection (2), ~~or~~  
8 subsection (3), or subsection (4).

9 ~~(7)~~~~(6)~~ Any person who operates a motor vehicle in  
10 violation of the restrictions imposed in subsection (2), ~~or~~  
11 subsection (3), or subsection (4) commits a noncriminal  
12 traffic infraction, punishable as will be charged with a  
13 moving violation as provided in and fined in accordance with  
14 chapter 318.

15 Section 2. Subsection (1) of section 318.14, Florida  
16 Statutes, is amended to read:

17 318.14 Noncriminal traffic infractions; exception;  
18 procedures.--

19 (1) Except as provided in ss. 318.17 and 320.07(3)(c),  
20 any person cited for a violation of chapter 316, s. 320.0605,  
21 s. 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s.  
22 322.16(2), ~~or~~ (3), or (4), s. 322.161(5), s. 322.19, or s.  
23 1006.66(3) is charged with a noncriminal infraction and must  
24 be cited for such an infraction and cited to appear before an  
25 official. If another person dies as a result of the  
26 noncriminal infraction, the person cited may be required to  
27 perform 120 community service hours under s. 316.027(4), in  
28 addition to any other penalties.

29 Section 3. Subsection (4) of section 322.05, Florida  
30 Statutes, is amended to read:

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1           322.05 Persons not to be licensed.--The department may  
2 not issue a license:

3           (4) Except as provided by this subsection, to any  
4 person, as a Class A licensee, Class B licensee, Class C  
5 licensee, or Class D licensee, who is under ~~the age of~~ 18  
6 years of age. A person ~~age~~ 16 or 17 years of age who applies  
7 for a Class D driver's license is subject to all the  
8 requirements and provisions of paragraphs (2)(a) and (b) and  
9 ss. 322.09 and 322.16(2), ~~and~~ (3), and (4). The department may  
10 require of any such applicant for a Class D driver's license  
11 such examination of the qualifications of the applicant as the  
12 department considers proper, and the department may limit the  
13 use of any license granted as it considers proper.

14           Section 4. This act shall take effect October 1, 2005.  
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