

1 annual surcharges; creating s. 322.754, F.S. ;
2 providing for distribution of surcharges
3 collected by the department; providing an
4 effective date.

5
6 Be It Enacted by the Legislature of the State of Florida:

7
8 Section 1. Section 322.75, Florida Statutes, is
9 created to read:

10 322.75 Short title.--Sections 322.75-322.754 may be
11 cited as the "Florida Driver Responsibility Law."

12 Section 2. Section 322.7513, Florida Statutes, is
13 created to read:

14 322.7513 Surcharge for conviction of driving without
15 financial responsibility.--

16 (1) Each year, the department shall assess a surcharge
17 on each person who has a final conviction during the preceding
18 36-month period for an offense relating to s. 316.646(1).

19 (2) The amount of a surcharge under this section is
20 \$250 per year.

21 (3) This section does not apply to a conviction that
22 becomes final before July 1, 2005.

23 Section 3. Section 322.7515, Florida Statutes, is
24 created to read:

25 322.7515 Surcharge for conviction of driving under the
26 influence.--

27 (1) Each year, the department shall assess a surcharge
28 on each person who has a final conviction during the preceding
29 36-month period for an offense relating to s. 316.193.

30 (2) The amount of a surcharge under this section is
31 \$1,000 per year, except that the amount of the surcharge is:

1 (a) One thousand five hundred dollars per year for a
2 second or subsequent conviction within a 36-month period; and

3 (b) Two thousand dollars for a first or subsequent
4 conviction if the blood-alcohol level of the person was 0.20
5 or higher at the time the analysis was performed.

6 (3) A surcharge under this section for the same
7 conviction may not be assessed in more than 3 years.

8 (4) This section does not apply to a conviction that
9 becomes final before July 1, 2005.

10 Section 4. Section 322.7525, Florida Statutes, is
11 created to read:

12 322.7525 Notice of surcharge.--

13 (1) The department shall notify the holder of a
14 driver's license of the assessment of a surcharge on that
15 license by first-class mail sent to the person's most recent
16 address as shown on the records of the department. The notice
17 must specify the date by which the surcharge must be paid and
18 state the consequences of a failure to pay the surcharge.

19 (2) If, before the 30th day after the date the
20 department sends a notice under the Florida Driver
21 Responsibility Law, the person fails to pay the amount of a
22 surcharge on the person's license or fails to enter into an
23 installment payment agreement with the department, the license
24 of the person is automatically suspended.

25 (3) A person whose driving privilege is suspended or
26 revoked under this subsection shall not have his or her
27 driving privilege reinstated for any reason other than:

28 (a) Full payment of the surcharge and any related
29 costs; or

1 (b) The person has entered into an agreement with the
2 department for the payment of the surcharge as provided in s.
3 322.753.

4 Section 5. Section 322.753, Florida Statutes, is
5 created to read:

6 322.753 Installment payment of surcharges.--

7 (1) The department shall by rule provide for the
8 payment of a surcharge in installments.

9 (2) A rule under this section:

10 (a) May not permit a person to pay a surcharge:

11 1. Of less than \$2,300 over a period of more than 12
12 consecutive months; or

13 2. Of \$2,300 or more over a period of more than 24
14 consecutive months.

15 (b) May provide that if the person fails to make a
16 required installment payment, the department may declare the
17 amount of the unpaid surcharge immediately due and payable.

18 (3) The department may by rule authorize the payment
19 of a surcharge by use of a credit card.

20 (4) If a person pays a surcharge or related cost by
21 credit card and the amount is subsequently reversed by the
22 issuer of the credit card, the license of that person is
23 automatically suspended.

24 (5) A license suspended under this section remains
25 suspended until the person pays the amount of the surcharge
26 and any related costs.

27 Section 6. Section 322.7535, Florida Statutes, is
28 created to read:

29 322.7535 Contracts for collection of surcharges.--The
30 department may contract with a public or private vendor to
31 collect surcharges receivable under this chapter.

1 Section 7. Section 322.754, Florida Statutes, is
2 created to read:

3 322.754 Remittance of surcharges collected.--All
4 moneys derived from the surcharge collected by the department
5 under the Florida Driver Responsibility Law shall, after the
6 department has retained all departmental costs that are
7 associated only with the operation of this law, be deposited
8 into the Department of Health Administrative Trust Fund to
9 provide financial support to certified trauma centers to
10 assure the availability and accessibility of trauma services
11 throughout the state. Funds deposited into the Administrative
12 Trust Fund under this section shall be allocated as follows:

13 (1) Fifty percent shall be allocated equally among all
14 Level I, Level II, and pediatric trauma centers in recognition
15 of readiness costs for maintaining trauma services.

16 (2) Fifty percent shall be allocated among Level I,
17 Level II, and pediatric trauma centers based on each center's
18 relative volume of trauma cases as reported in the Department
19 of Health Trauma Registry.

20 Section 8. This act shall take effect February 1,
21 2006.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
CS/SB 2434

The Committee Substitute removed the following provisions from the bill:

- 1) The additional \$25 driver improvement school assessment;
- 2) The increase in the civil penalty for load violations from \$100 to \$200;
- 3) The surcharges on each person who has accumulated seven or more points against his or her driver's license during the preceding 36-month period; and
- 4) The \$250 surcharge on each person who has been convicted within the preceding 36-month period for driving without a driver's license.