

1 (1)(a) The department shall prepare, and supply to
2 every traffic enforcement agency in this state, an appropriate
3 form traffic citation containing a notice to appear (which
4 shall be issued in prenumbered books with citations in
5 quintuplicate) and meeting the requirements of this chapter or
6 any laws of this state regulating traffic, which form shall be
7 consistent with the state traffic court rules and the
8 procedures established by the department. Upon all future
9 printings of the traffic citation, the form shall include a
10 special box which is to be checked by the law enforcement
11 officer when the officer believes that the traffic violation
12 or crash was due to aggressive careless driving as defined in
13 s. 316.1923. The form shall also include a special box that is
14 to be checked by the law enforcement officer when the officer
15 writes a uniform traffic citation for a violation of s.
16 316.074(1) as a result of the driver failing to stop at a
17 traffic signal.

18 Section 2. Subsection (14) is added to section 318.18,
19 Florida Statutes, to read:

20 318.18 Amount of civil penalties.--The penalties
21 required for a noncriminal disposition pursuant to s. 318.14
22 are as follows:

23 (14) One hundred twenty-five dollars for a violation
24 of s. 316.074(1) or s. 316.075(1)(c)1., when a driver has
25 failed to stop at a traffic signal, of which \$60 shall be
26 distributed as provided in s. 318.21 and the remaining \$65
27 shall be remitted to the Department of Revenue for deposit
28 into the Administrative Trust Fund of the Department of
29 Health.

30 Section 3. Subsection (13) is added to section 318.21,
31 Florida Statutes, to read:

1 318.21 Disposition of civil penalties by county
2 courts.--All civil penalties received by a county court
3 pursuant to the provisions of this chapter shall be
4 distributed and paid monthly as follows:

5 (13) Of the proceeds from the fine under s.
6 318.18(14), \$65 shall be remitted to the Department of Revenue
7 for deposit into the Administrative Trust Fund of the
8 Department of Health and the remaining \$60 shall be
9 distributed under subsections (1) and (2).

10 Section 4. Section 322.0261, Florida Statutes, is
11 amended to read:

12 322.0261 ~~Mandatory~~ Driver improvement course;
13 requirement to maintain driving privileges; failure to
14 complete; department approval of course ~~certain crashes~~.--

15 (1) The department shall screen crash reports received
16 under s. 316.066 or s. 324.051 to identify crashes involving
17 the following:

18 (a) A crash involving death or a bodily injury
19 requiring transport to a medical facility; or

20 (b) A second crash by the same operator within the
21 previous 2-year period involving property damage in an
22 apparent amount of at least \$500.

23 (2) With respect to an operator convicted of, or who
24 pleaded nolo contendere to, a traffic offense giving rise to a
25 crash identified pursuant to subsection (1), the department
26 shall require that the operator, in addition to other
27 applicable penalties, attend a department-approved
28 ~~departmentally approved~~ driver improvement course in order to
29 maintain driving privileges. If the operator fails to complete
30 the course within 90 days of receiving notice from the
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1 department, the operator's driver's license shall be canceled
2 by the department until the course is successfully completed.

3 (3) The department shall identify any operator
4 convicted of, or who has pleaded nolo contendere to, a second
5 violation of s. 316.074(1) or s. 316.075(1)(c)1., which
6 violation occurred within 12 months after the first violation,
7 and shall require that operator, in addition to other
8 applicable penalties, to attend a department-approved driver
9 improvement course in order to maintain driving privileges. If
10 the operator fails to complete the course within 90 days after
11 receiving notice from the department, the operator's driver's
12 license shall be canceled by the department until the course
13 is successfully completed.

14 ~~(4)(3)~~ In determining whether to approve a driver
15 improvement course for the purposes of this section, the
16 department shall consider course content designed to promote
17 safety, driver awareness, crash avoidance techniques, and
18 other factors or criteria to improve driver performance from a
19 safety viewpoint.

20 Section 5. Paragraph (d) of subsection (3) of section
21 322.27, Florida Statutes, is amended to read:

22 322.27 Authority of department to suspend or revoke
23 license.--

24 (3) There is established a point system for evaluation
25 of convictions of violations of motor vehicle laws or
26 ordinances, and violations of applicable provisions of s.
27 403.413(6)(b) when such violations involve the use of motor
28 vehicles, for the determination of the continuing
29 qualification of any person to operate a motor vehicle. The
30 department is authorized to suspend the license of any person
31 upon showing of its records or other good and sufficient

1 | evidence that the licensee has been convicted of violation of
2 | motor vehicle laws or ordinances, or applicable provisions of
3 | s. 403.413(6)(b), amounting to 12 or more points as determined
4 | by the point system. The suspension shall be for a period of
5 | not more than 1 year.

6 | (d) The point system shall have as its basic element a
7 | graduated scale of points assigning relative values to
8 | convictions of the following violations:

9 | 1. Reckless driving, willful and wanton--4 points.

10 | 2. Leaving the scene of a crash resulting in property
11 | damage of more than \$50--6 points.

12 | 3. Unlawful speed resulting in a crash--6 points.

13 | 4. Passing a stopped school bus--4 points.

14 | 5. Unlawful speed:

15 | a. Not in excess of 15 miles per hour of lawful or
16 | posted speed--3 points.

17 | b. In excess of 15 miles per hour of lawful or posted
18 | speed--4 points.

19 | 6. A violation of a traffic control signal device as
20 | provided in s. 316.074(1) or s. 316.075(1)(c)1.--4 points.

21 | ~~7.6-~~ All other moving violations (including parking on
22 | a highway outside the limits of a municipality)--3 points.

23 | However, no points shall be imposed for a violation of s.
24 | 316.0741 or s. 316.2065(12).

25 | ~~8.7-~~ Any moving violation covered above, excluding
26 | unlawful speed, resulting in a crash--4 points.

27 | ~~9.8-~~ Any conviction under s. 403.413(6)(b) ~~s-~~
28 | ~~403.413(5)(b)~~--3 points.

29 | Section 6. Section 395.4036, Florida Statutes, is
30 | created to read:

31 | 395.4036 Trauma payments.--

1 (1) Recognizing the Legislature's stated intent to
2 provide financial support to the current verified trauma
3 centers and to provide incentives for the establishment of
4 additional trauma centers as part of a system of
5 state-sponsored trauma centers, the department shall use funds
6 collected under s. 318.18(14) and deposited into the
7 Administrative Trust Fund of the department to ensure the
8 availability and accessibility of trauma services throughout
9 the state as provided in this subsection.

10 (a) Twenty percent of the total funds collected under
11 this subsection shall be distributed to verified trauma
12 centers located in a region that has a local funding
13 contribution as of December 31. Distribution of funds under
14 this paragraph shall be based on trauma caseload volume.

15 (b) Forty percent of the total funds collected under
16 this subsection shall be distributed to verified trauma
17 centers based on trauma caseload volume of the previous
18 calendar year. The determination of caseload volume for
19 distribution of funds under this paragraph shall be based on
20 the department's trauma registry data.

21 (c) Forty percent of the total funds collected under
22 this subsection shall be distributed to verified trauma
23 centers based on severity of trauma patients. The
24 determination of severity for distribution of funds under this
25 paragraph shall be based on the department's injury severity
26 scores, weighted based on scores of 1-14 and 15 plus.

27 (2)(a) Any trauma center not subject to audit under s.
28 215.97 shall annually attest, under penalties of perjury, that
29 such proceeds were used in compliance with law. The annual
30 attestation shall be made in a form and format determined by
31 the department. The annual attestation shall be submitted to

1 the department for review within 9 months after the end of the
2 organization's fiscal year.

3 (b) Any trauma center subject to audit under s. 215.97
4 shall submit an audit report in accordance with rules adopted
5 by the Auditor General.

6 (3) The department, working with the Agency for Health
7 Care Administration, shall maximize resources for trauma
8 services wherever possible.

9 Section 7. This act shall take effect upon becoming a
10 law.

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12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 Senate Bill 2516

15 This CS requires a modification to the uniform traffic
16 citation form and clarifies the distribution of civil
17 penalties collected for violations of ss. 316.074(1) and
18 316.075(1)(c)1, F.S.

19 The CS requires an assessment of 4 points against the license
20 of a driver violating ss. 316.074(1) and 316.075(1)(c), F.S.
21 Drivers who are fined twice in 12 months for violating ss.
22 316.074(1) and 316.075(1)(c), F.S. are required to attend a
23 DHSMV - approved driver improvement course in order to
24 maintain driving privileges. If the operator fails to complete
25 the course within 90 days after receiving notice from DHSMV,
26 the operator's driver license is canceled by DHSMV until the
27 course is successfully completed.
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