

Amendment No. (for drafter's use only)

CHAMBER ACTION

Senate

House

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1 Representative(s) Harrell offered the following:

2
3 **Amendment to Amendment (725477) (with directory and title**
4 **amendments)**

5 Between lines 66 and 67, insert:

6 Section 3. Section 316.1576, Florida Statutes, is created
7 to read:

8 316.1576 Insufficient clearance at a railroad-highway
9 grade crossing.--

10 (1) A person may not drive any vehicle through a railroad-
11 highway grade crossing that does not have sufficient space to
12 drive completely through the crossing without stopping.

13 (2) A person may not drive any vehicle through a railroad-
14 highway grade crossing that does not have sufficient

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15 undercarriage clearance to drive completely through the crossing
16 without stopping.

17 (3) A violation of this section is a noncriminal traffic
18 infraction, punishable as a moving violation as provided in
19 chapter 318.

20 Section 4. Section 316.1577, Florida Statutes, is created
21 to read:

22 316.1577 Employer responsibility for violations pertaining
23 to railroad-highway grade crossings.--

24 (1) An employer may not knowingly allow, require, permit,
25 or authorize a driver to operate a commercial motor vehicle in
26 violation of a federal, state, or local law or rule pertaining
27 to railroad-highway grade crossings.

28 (2) A person who violates subsection (1) is subject to a
29 civil penalty of not more than \$10,000.

30 Section 5. Paragraph (b) of subsection (1) of section
31 316.302, Florida Statutes, is amended to read:

32 316.302 Commercial motor vehicles; safety regulations;
33 transporters and shippers of hazardous materials; enforcement.--

34 (1)

35 (b) Except as otherwise provided in this section, all
36 owners or drivers of commercial motor vehicles that are engaged
37 in intrastate commerce are subject to the rules and regulations
38 contained in 49 C.F.R. parts 382, 385, and 390-397, with the
39 exception of 49 C.F.R. s. 390.5 as it relates to the definition
40 of bus, as such rules and regulations existed on October 1, 2004
41 2002.

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42 Section 6. Subsections (9) and (10) of section 318.14,
43 Florida Statutes, are amended to read:

44 318.14 Noncriminal traffic infractions; exception;
45 procedures.--

46 (9) Any person who does not hold a commercial driver's
47 license and who is cited for an infraction under this section
48 other than a violation of s. 320.0605, s. 320.07(3)(a) or (b),
49 s. 322.065, s. 322.15(1), s. 322.61, or s. 322.62 may, in lieu
50 of a court appearance, elect to attend in the location of his or
51 her choice within this state a basic driver improvement course
52 approved by the Department of Highway Safety and Motor Vehicles.
53 In such a case, adjudication must be withheld; points, as
54 provided by s. 322.27, may not be assessed; and the civil
55 penalty that is imposed by s. 318.18(3) must be reduced by 18
56 percent; however, a person may not make an election under this
57 subsection if the person has made an election under this
58 subsection in the preceding 12 months. A person may make no more
59 than five elections under this subsection. The requirement for
60 community service under s. 318.18(8) is not waived by a plea of
61 nolo contendere or by the withholding of adjudication of guilt
62 by a court.

63 (10)(a) Any person who does not hold a commercial driver's
64 license and who is cited for an offense listed under this
65 subsection may, in lieu of payment of fine or court appearance,
66 elect to enter a plea of nolo contendere and provide proof of
67 compliance to the clerk of the court or authorized operator of a
68 traffic violations bureau. In such case, adjudication shall be

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69 withheld; however, no election shall be made under this
70 subsection if such person has made an election under this
71 subsection in the 12 months preceding election hereunder. No
72 person may make more than three elections under this subsection.
73 This subsection applies to the following offenses:

74 1. Operating a motor vehicle without a valid driver's
75 license in violation of the provisions of s. 322.03, s. 322.065,
76 or s. 322.15(1), or operating a motor vehicle with a license
77 which has been suspended for failure to appear, failure to pay
78 civil penalty, or failure to attend a driver improvement course
79 pursuant to s. 322.291.

80 2. Operating a motor vehicle without a valid registration
81 in violation of s. 320.0605, s. 320.07, or s. 320.131.

82 3. Operating a motor vehicle in violation of s. 316.646.

83 (b) Any person cited for an offense listed in this
84 subsection shall present proof of compliance prior to the
85 scheduled court appearance date. For the purposes of this
86 subsection, proof of compliance shall consist of a valid,
87 renewed, or reinstated driver's license or registration
88 certificate and proper proof of maintenance of security as
89 required by s. 316.646. Notwithstanding waiver of fine, any
90 person establishing proof of compliance shall be assessed court
91 costs of \$22, except that a person charged with violation of s.
92 316.646(1)-(3) may be assessed court costs of \$7. One dollar of
93 such costs shall be remitted to the Department of Revenue for
94 deposit into the Child Welfare Training Trust Fund of the
95 Department of Children and Family Services. One dollar of such

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96 costs shall be distributed to the Department of Juvenile Justice
97 for deposit into the Juvenile Justice Training Trust Fund.
98 Twelve dollars of such costs shall be distributed to the
99 municipality and \$8 shall be deposited by the clerk of the court
100 into the fine and forfeiture fund established pursuant to s.
101 142.01, if the offense was committed within the municipality. If
102 the offense was committed in an unincorporated area of a county
103 or if the citation was for a violation of s. 316.646(1)-(3), the
104 entire amount shall be deposited by the clerk of the court into
105 the fine and forfeiture fund established pursuant to s. 142.01,
106 except for the moneys to be deposited into the Child Welfare
107 Training Trust Fund and the Juvenile Justice Training Trust
108 Fund. This subsection shall not be construed to authorize the
109 operation of a vehicle without a valid driver's license, without
110 a valid vehicle tag and registration, or without the maintenance
111 of required security.

112 Section 7. Subsections (8), (10), and (29) of section
113 322.01, Florida Statutes, are amended to read:

114 322.01 Definitions.--As used in this chapter:

115 (8) "Commercial motor vehicle" means any motor vehicle or
116 motor vehicle combination used on the streets or highways,
117 which:

118 (a) Has a gross vehicle weight rating of 26,001 pounds or
119 more;

120 ~~(b) Has a declared weight of 26,001 pounds or more;~~

121 ~~(c) Has an actual weight of 26,001 pounds or more;~~

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122 ~~(b)(d)~~ Is designed to transport more than 15 persons,
123 including the driver; or

124 ~~(c)(e)~~ Is transporting hazardous materials and is required
125 to be placarded in accordance with Title 49 C.F.R. part 172,
126 subpart F.

127 (10)(a) "Conviction" means a conviction of an offense
128 relating to the operation of motor vehicles on highways which is
129 a violation of this chapter or any other such law of this state
130 or any other state, including an admission or determination of a
131 noncriminal traffic infraction pursuant to s. 318.14, or a
132 judicial disposition of an offense committed under any federal
133 law substantially conforming to the aforesaid state statutory
134 provisions.

135 (b) Notwithstanding any other provisions of this chapter,
136 the definition of "conviction" provided in 49 C.F.R. part 383.5
137 applies to offenses committed in a commercial motor vehicle.

138 (29) "Out-of-service order" means a prohibition issued by
139 an authorized local, state, or Federal Government official which
140 ~~that~~ precludes a person from driving a commercial motor vehicle
141 for a period of 72 hours or less.

142 Section 8. Paragraph (e) is added to subsections (2) of
143 section 322.18, Florida Statutes, to read:

144 322.18 Original applications, licenses, and renewals;
145 expiration of licenses; delinquent licenses.--

146 (2) Each applicant who is entitled to the issuance of a
147 driver's license, as provided in this section, shall be issued a
148 driver's license, as follows:

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149 (e) Notwithstanding any other provision of this chapter,
150 an applicant applying for an original or renewal issuance of a
151 commercial driver's license as defined in s. 322.01(7), with a
152 hazardous-materials endorsement, pursuant to s. 322.57(1)(e),
153 shall be issued a driver's license that expires at midnight on
154 the licensee's birthday that next occurs 4 years after the month
155 of expiration of the license being issued or renewed.

156 Section 9. Paragraph (e) is added to subsection (1) of
157 section 322.21, Florida Statutes, to read:

158 322.21 License fees; procedure for handling and collecting
159 fees.--

160 (1) Except as otherwise provided herein, the fee for:

161 (f) A hazardous-materials endorsement, as required by s.
162 322.57(1)(e), shall be set by the department by rule and shall
163 reflect the cost of the required criminal history check,
164 including the cost of the state and federal fingerprint check,
165 and the cost to the department of providing and issuing the
166 license. The fee shall not exceed \$100. This fee shall be
167 deposited in the Highway Safety Operating Trust Fund. The
168 department may adopt rules pursuant to ss. 120.536(1) and 120.54
169 to administer the provisions of this paragraph.

170 Section 10. Present subsection (7) of section 322.212,
171 Florida Statutes, is redesignated as subsection (8), and a new
172 subsection (7) is added to that section to read:

173 322.212 Unauthorized possession of, and other unlawful
174 acts in relation to, driver's license or identification card.--

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175 (7) In addition to any other penalties provided by this
176 section, any person who provides false information when applying
177 for a commercial driver's license shall be disqualified from
178 operating a commercial motor vehicle for a period of 60 days.

179 Section 11. Paragraph (b) of subsection (2) of section
180 322.53, Florida Statutes, is amended to read:

181 322.53 License required; exemptions.--

182 (2) The following persons are exempt from the requirement
183 to obtain a commercial driver's license:

184 (b) Military personnel driving ~~military~~ vehicles operated
185 for military purposes.

186 Section 12. Paragraphs (a), (b), and (c) of subsection (2)
187 of section 322.54, Florida Statutes, are amended to read:

188 322.54 Classification.--

189 (2) The department shall issue, pursuant to the
190 requirements of this chapter, drivers' licenses in accordance
191 with the following classifications:

192 (a) Any person who drives a motor vehicle combination
193 having a gross vehicle weight rating, ~~a declared weight, or an~~
194 ~~actual weight, whichever is greatest,~~ of 26,001 pounds or more
195 must possess a valid Class A driver's license, provided the
196 gross vehicle weight rating, ~~declared weight, or actual weight,~~
197 ~~whichever is greatest,~~ of the vehicle being towed is more than
198 10,000 pounds. Any person who possesses a valid Class A driver's
199 license may, subject to the appropriate restrictions and
200 endorsements, drive any class of motor vehicle within this
201 state.

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202 (b) Any person, except a person who possesses a valid
203 Class A driver's license, who drives a motor vehicle having a
204 gross vehicle weight rating, ~~a declared weight, or an actual~~
205 ~~weight, whichever is greatest,~~ of 26,001 pounds or more must
206 possess a valid Class B driver's license. Any person, except a
207 person who possesses a valid Class A driver's license, who
208 drives such vehicle towing a vehicle having a gross vehicle
209 weight rating, ~~a declared weight, or an actual weight, whichever~~
210 ~~is greatest,~~ of 10,000 pounds or less must possess a valid Class
211 B driver's license. Any person who possesses a valid Class B
212 driver's license may, subject to the appropriate restrictions
213 and endorsements, drive any class of motor vehicle, other than
214 the type of motor vehicle for which a Class A driver's license
215 is required, within this state.

216 (c) ~~Any person, except a person who possesses a valid~~
217 ~~Class A or a valid Class B driver's license, who drives a motor~~
218 ~~vehicle combination having a gross vehicle weight rating, a~~
219 ~~declared weight, or an actual weight, whichever is greatest, of~~
220 ~~26,001 pounds or more must possess a valid Class C driver's~~
221 ~~license. Any person, except a person who possesses a valid Class~~
222 A or a valid Class B driver's license, who drives a motor
223 vehicle ~~combination~~ having a gross vehicle weight rating, ~~a~~
224 ~~declared weight, or an actual weight, whichever is greatest,~~ of
225 less than 26,001 pounds and who is required to obtain an
226 endorsement pursuant to ~~paragraph (1)(a), paragraph (1)(b) or,~~
227 ~~paragraph (1)(c), paragraph (1)(d), or paragraph (1)(e) of s.~~
228 322.57, must possess a valid Class C driver's license ~~that is~~

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229 ~~clearly restricted to the operation of a motor vehicle or motor~~
230 ~~vehicle combination of less than 26,001 pounds.~~ Any person who
231 possesses a valid Class C driver's license may, subject to the
232 appropriate restrictions and endorsements, drive any class of
233 motor vehicle, other than the type of motor vehicle for which a
234 Class A or a Class B driver's license is required, within this
235 state.

236 Section 13. Subsections (1) and (2) of section 322.57,
237 Florida Statutes, are amended to read:

238 322.57 Tests of knowledge concerning specified vehicles;
239 endorsement; nonresidents; violations.--

240 (1) In addition to fulfilling any other driver's licensing
241 requirements of this chapter, a person who:

242 (a) Drives a double or triple trailer must successfully
243 complete a test of his or her knowledge concerning the safe
244 operation of such vehicles.

245 (b) Drives a passenger vehicle must successfully complete
246 a test of his or her knowledge concerning the safe operation of
247 such vehicles and a test of his or her driving skill in such a
248 vehicle.

249 (c) Drives a school bus must successfully complete a test
250 of his or her knowledge concerning the safe operation of such
251 vehicles and a test of his or her driving skill in such a
252 vehicle. This subsection shall be implemented in accordance with
253 49 C.F.R. part 383.123.

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254 ~~(d)~~~~(e)~~ Drives a tank vehicle must successfully complete a
255 test of his or her knowledge concerning the safe operation of
256 such vehicles.

257 ~~(e)~~~~(d)~~ Drives a vehicle that transports hazardous
258 materials and that is required to be placarded in accordance
259 with Title 49 C.F.R. part 172, subpart F, must successfully
260 complete a test of his or her knowledge concerning the safe
261 operation of such vehicles. Knowledge tests for hazardous-
262 materials endorsements may not be administered orally for
263 individuals applying for an initial hazardous-materials
264 endorsement after June 30, 1994.

265 ~~(f)~~~~(e)~~ Operates a tank vehicle transporting hazardous
266 materials must successfully complete the tests required in
267 paragraphs ~~(d)~~ ~~(e)~~ and ~~(e)~~ ~~(d)~~ so that the department may issue
268 a single endorsement permitting him or her to operate such tank
269 vehicle.

270 ~~(g)~~~~(f)~~ Drives a motorcycle must successfully complete a
271 test of his or her knowledge concerning the safe operation of
272 such vehicles and a test of his or her driving skills on such
273 vehicle. A person who successfully completes such tests shall be
274 issued an endorsement if he or she is licensed to drive another
275 type of motor vehicle. A person who successfully completes such
276 tests and who is not licensed to drive another type of motor
277 vehicle shall be issued a Class E driver's license that is
278 clearly restricted to motorcycle use only.

279 (2) Before driving or operating any vehicle listed in
280 subsection (1), a person must obtain an endorsement on his or

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281 her driver's license. An endorsement under paragraph (a),
282 paragraph (b), paragraph (c), paragraph (d), ~~or~~ paragraph (e),
283 or paragraph (f) of subsection (1) shall be issued only to
284 persons who possess a valid Class A, valid Class B, or valid
285 Class C driver's license. A person who drives a motor vehicle or
286 motor vehicle combination that requires an endorsement under
287 this subsection and who drives a motor vehicle or motor vehicle
288 combination having a gross vehicle weight rating, a declared
289 weight, or an actual weight, whichever is greatest, of less than
290 26,000 pounds shall be issued a Class C driver's license that is
291 clearly restricted to the operation of a motor vehicle or motor
292 vehicle combination of less than 26,000 pounds.

293 Section 14. Subsections (1), (2), (3), (8), and (10) of
294 section 322.61, Florida Statutes, are amended, and subsections
295 (4) and (5) of that section are reenacted, to read:

296 322.61 Disqualification from operating a commercial motor
297 vehicle.--

298 (1) A person who, for offenses occurring within a 3-year
299 period, is convicted of two of the following serious traffic
300 violations or any combination thereof, arising in separate
301 incidents committed in a commercial motor vehicle shall, in
302 addition to any other applicable penalties, be disqualified from
303 operating a commercial motor vehicle for a period of 60 days. A
304 person who, for offenses occurring within a 3-year period, is
305 convicted of two of the following serious traffic violations or
306 any combination thereof arising in separate incidents committed
307 in a noncommercial motor vehicle shall, in addition to any other

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308 applicable penalties, be disqualified from operating a
309 commercial motor vehicle for a period of 60 days if such
310 convictions result in the suspension, revocation, or
311 cancellation of the licenseholder's driving privilege:

312 (a) A violation of any state or local law relating to
313 motor vehicle traffic control, other than a parking violation, a
314 weight violation, or a vehicle equipment violation, arising in
315 connection with a crash resulting in death or personal injury to
316 any person;

317 (b) Reckless driving, as defined in s. 316.192;

318 (c) Careless driving, as defined in s. 316.1925;

319 (d) Fleeing or attempting to elude a law enforcement
320 officer, as defined in s. 316.1935;

321 (e) Unlawful speed of 15 miles per hour or more above the
322 posted speed limit;

323 (f) Driving a commercial motor vehicle, owned by such
324 person, which is not properly insured;

325 (g) Improper lane change, as defined in s. 316.085; ~~or~~

326 (h) Following too closely, as defined in s. 316.0895;

327 (i) Driving a commercial motor vehicle without obtaining a
328 commercial driver's license;

329 (j) Driving a commercial motor vehicle without the proper
330 class of commercial driver's license or without the proper
331 endorsement; or

332 (k) Driving a commercial motor vehicle without a
333 commercial driver's license in possession. Any person who
334 provides proof to the clerk of court or designated official in

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335 the jurisdiction where the citation was issued, before the date
336 the person must appear in court or pay any fine for such a
337 violation, that the person held a valid commercial driver's
338 license on the date the citation was issued shall not be guilty
339 of this offense.

340 (2) Any person who, for offenses occurring within a 3-year
341 period, is convicted of three serious traffic violations
342 specified in subsection (1) or any combination thereof, arising
343 in separate incidents committed in a commercial motor vehicle
344 shall, in addition to any other applicable penalties, including,
345 but not limited to, the penalty provided in subsection (1), be
346 disqualified from operating a commercial motor vehicle for a
347 period of 120 days. A person who, for offenses occurring within
348 a 3-year period, is convicted of three serious traffic
349 violations specified in subsection (1) or any combination
350 thereof, arising in separate incidents committed in a
351 noncommercial motor vehicle shall, in addition to any other
352 applicable penalties, including, but not limited to, the penalty
353 provided in subsection (1), be disqualified from operating a
354 commercial motor vehicle for a period of 120 days if such
355 convictions result in the suspension, revocation, or
356 cancellation of the licenseholder's driving privilege.

357 (3) Except as provided in subsection (4), any person who
358 is convicted of one of the following offenses shall, in addition
359 to any other applicable penalties, be disqualified from
360 operating a commercial motor vehicle for a period of 1 year:

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- 361 (a) Driving a commercial motor vehicle while he or she is
362 under the influence of alcohol or a controlled substance;
- 363 (b) Driving a commercial motor vehicle while the alcohol
364 concentration of his or her blood, breath, or urine is .04
365 percent or higher;
- 366 (c) Leaving the scene of a crash involving a commercial
367 motor vehicle driven by such person;
- 368 (d) Using a commercial motor vehicle in the commission of
369 a felony;
- 370 (e) Driving a commercial motor vehicle while in possession
371 of a controlled substance; ~~or~~
- 372 (f) Refusing to submit to a test to determine his or her
373 alcohol concentration while driving a commercial motor vehicle;
- 374 (g) Driving a commercial vehicle while the licenseholder's
375 commercial driver's license is suspended, revoked, or canceled
376 or while the licenseholder is disqualified from driving a
377 commercial vehicle; or
- 378 (h) Causing a fatality through the negligent operation of
379 a commercial motor vehicle.
- 380 (4) Any person who is transporting hazardous materials in
381 a vehicle that is required to be placarded in accordance with
382 Title 49 C.F.R. part 172, subpart F shall, upon conviction of an
383 offense specified in subsection (3), be disqualified from
384 operating a commercial motor vehicle for a period of 3 years.
385 The penalty provided in this subsection shall be in addition to
386 any other applicable penalty.

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387 (5) Any person who is convicted of two violations
388 specified in subsection (3), or any combination thereof, arising
389 in separate incidents shall be permanently disqualified from
390 operating a commercial motor vehicle. The penalty provided in
391 this subsection shall be in addition to any other applicable
392 penalty.

393 (8) A driver who is convicted of or otherwise found to
394 have committed a violation of an out-of-service order while
395 driving a commercial motor vehicle is disqualified as follows:

396 (a) Not less than 90 days nor more than 1 year if the
397 driver is convicted of or otherwise found to have committed a
398 first violation of an out-of-service order.

399 (b) Not less than 1 year nor more than 5 years if, for
400 offenses occurring during any 10-year period, the driver is
401 convicted of or otherwise found to have committed two violations
402 of out-of-service orders in separate incidents.

403 (c) Not less than 3 years nor more than 5 years if, for
404 offenses occurring during any 10-year period, the driver is
405 convicted of or otherwise found to have committed three or more
406 violations of out-of-service orders in separate incidents.

407 (d) Not less than 180 days nor more than 2 years if the
408 driver is convicted of or otherwise found to have committed a
409 first violation of an out-of-service order while transporting
410 hazardous materials required to be placarded under the Hazardous
411 Materials Transportation Act, 49 U.S.C. ss. 5101 et seq., or
412 while operating motor vehicles designed to transport more than
413 15 passengers, including the driver. A driver is disqualified

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414 for a period of not less than 3 years nor more than 5 years if,
415 for offenses occurring during any 10-year period, the driver is
416 convicted of or otherwise found to have committed any subsequent
417 violations of out-of-service orders, in separate incidents,
418 while transporting hazardous materials required to be placarded
419 under the Hazardous Materials Transportation Act 49 U.S.C. ss.
420 5101 et seq., or while operating motor vehicles designed to
421 transport more than 15 passengers, including the driver.

422 (10)(a) A driver must be disqualified for not less than 60
423 days if the driver is convicted of or otherwise found to have
424 committed a first violation of a railroad-highway grade crossing
425 violation.

426 (b) A driver must be disqualified for not less than 120
427 days if, for offenses occurring during any 3-year period, the
428 driver is convicted of or otherwise found to have committed a
429 second railroad-highway grade crossing violation in separate
430 incidents.

431 (c) A driver must be disqualified for not less than 1 year
432 if, for offenses occurring during any 3-year period, the driver
433 is convicted of or otherwise found to have committed a third or
434 subsequent railroad-highway grade crossing violation in separate
435 incidents.

436 Section 15. Subsection (1) of section 322.64, Florida
437 Statutes, is amended to read:

438 322.64 Holder of commercial driver's license; driving with
439 unlawful blood-alcohol level; refusal to submit to breath,
440 urine, or blood test.--

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441 (1)(a) A law enforcement officer or correctional officer
442 shall, on behalf of the department, disqualify from operating
443 any commercial motor vehicle a person who while operating or in
444 actual physical control of a commercial motor vehicle is
445 arrested for a violation of s. 316.193, relating to unlawful
446 blood-alcohol level or breath-alcohol level, or a person who has
447 refused to submit to a breath, urine, or blood test authorized
448 by s. 322.63 arising out of the operation or actual physical
449 control of a commercial motor vehicle. Upon disqualification of
450 the person, the officer shall take the person's driver's license
451 and issue the person a 10-day temporary permit for the operation
452 of noncommercial vehicles only if the person is otherwise
453 eligible for the driving privilege and shall issue the person a
454 notice of disqualification. If the person has been given a
455 blood, breath, or urine test, the results of which are not
456 available to the officer at the time of the arrest, the agency
457 employing the officer shall transmit such results to the
458 department within 5 days after receipt of the results. If the
459 department then determines that the person was arrested for a
460 violation of s. 316.193 and that the person had a blood-alcohol
461 level or breath-alcohol level of 0.08 or higher, the department
462 shall disqualify the person from operating a commercial motor
463 vehicle pursuant to subsection (3).

464 (b) The disqualification under paragraph (a) shall be
465 pursuant to, and the notice of disqualification shall inform the
466 driver of, the following:

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467 1.a. The driver refused to submit to a lawful breath,
468 blood, or urine test and he or she is disqualified from
469 operating a commercial motor vehicle for a period of 1 year, for
470 a first refusal, or permanently, if he or she has previously
471 been disqualified as a result of a refusal to submit to such a
472 test; or

473 b. The driver violated s. 316.193 by driving with an
474 unlawful blood-alcohol level and he or she is disqualified from
475 operating a commercial motor vehicle for a period of 6 months
476 for a first offense or for a period of 1 year if he or she has
477 previously been disqualified, or his or her driving privilege
478 has been previously suspended, for a violation of s. 316.193.

479 2. The disqualification period for operating commercial
480 vehicles shall commence on the date of arrest or issuance of
481 notice of disqualification, whichever is later.

482 3. The driver may request a formal or informal review of
483 the disqualification by the department within 10 days after the
484 date of arrest or issuance of notice of disqualification,
485 whichever is later.

486 4. The temporary permit issued at the time of arrest or
487 disqualification will expire at midnight of the 10th day
488 following the date of disqualification.

489 5. The driver may submit to the department any materials
490 relevant to the arrest.

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493 ===== T I T L E A M E N D M E N T =====

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494 Remove line(s) 85 of the amendment and insert:
495 the applicable period; providing an exception; creating s.
496 316.1576, F.S.; prohibiting driving through a railroad-highway
497 grade crossing that does not have sufficient space or clearance;
498 providing a penalty; creating s. 316.1577, F.S.; prohibiting
499 employer from allowing, requiring, permitting, or authorizing
500 certain violations pertaining to railroad-highway grade
501 crossings; providing a penalty; amending s. 316.302, F.S.;
502 updating a reference to the Code of Federal Regulations relating
503 to commercial motor vehicles; amending s. 318.14, F.S.;
504 providing that certain citation procedures and proceedings apply
505 to persons who do not hold a commercial driver's license;
506 amending s. 322.01, F.S.; redefining the terms "commercial motor
507 vehicle" and "out-of-service order"; providing the definition of
508 conviction applicable to offenses committed in a commercial
509 motor vehicle; amending s. 322.18, F.S.; revising the expiration
510 period for driver's licenses issued to specified persons;
511 amending s. 322.21, F.S.; requiring the department to set a fee
512 for a hazardous-materials endorsement; providing maximum fee
513 amount; authorizing the department to adopt rules; amending s.
514 322.212, F.S.; providing an additional penalty for giving false
515 information when applying for a commercial driver's license;
516 amending s. 322.53, F.S.; revising exemption to a requirement
517 that certain operators of a motor vehicle obtain a specified
518 license; amending s. 322.54, F.S.; revising the classification
519 requirements for certain driver's licenses; amending s. 322.57,
520 F.S.; providing testing requirements for school bus drivers;

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Amendment No. (for drafter's use only)

521 amending s. 322.61, F.S.; specifying additional violations that
522 disqualify a person from operating a commercial motor vehicle;
523 providing penalties; providing an exception; amending s. 322.64,
524 F.S.; providing for a temporary permit issued following certain
525 DUI offenses to apply only to the operation of noncommercial
526 vehicles; providing

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