

596-463-05

1 A bill to be entitled
2 An act relating to the disposition of traffic
3 infractions; amending s. 318.14, F.S.;
4 providing that a person who is cited for a
5 noncriminal traffic infraction may elect to
6 attend, under certain circumstances, an
7 intermediate driver improvement course approved
8 by the Department of Highway Safety and Motor
9 Vehicles; providing requirements for such
10 election; amending s. 322.025, F.S.; requiring
11 that the department deduct points from a
12 person's driving record for certain traffic
13 violations in another state or under federal
14 law; providing that such person may elect to
15 attend a basic driver improvement course;
16 providing certain limitations; amending s.
17 318.1451, F.S., relating to a fee collected by
18 driver improvement schools; conforming
19 provisions to changes made by the act;
20 providing an effective date.

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22 Be It Enacted by the Legislature of the State of Florida:

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24 Section 1. Subsection (9) of section 318.14, Florida
25 Statutes, is amended to read:

26 318.14 Noncriminal traffic infractions; exception;
27 procedures.--

28 (9) Any person who is cited for an infraction under
29 this section other than a violation of s. 320.0605, s.
30 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.61, or
31 s. 322.62 may, in lieu of a court appearance, elect to attend

1 in the location of his or her choice within this state a basic
2 driver improvement course approved by the Department of
3 Highway Safety and Motor Vehicles for the first or second
4 election or an intermediate driver improvement course approved
5 by the Department of Highway Safety and Motor Vehicles for the
6 third, fourth, or fifth election. In such a case, adjudication
7 must be withheld; points, as provided by s. 322.27, may not be
8 assessed; and the civil penalty that is imposed by s.
9 318.18(3) must be reduced by 18 percent; however, a person may
10 not make an election under this subsection if the person has
11 made an election under this subsection in the preceding 12
12 months. A person may make no more than five elections under
13 this subsection. The requirement for community service under
14 s. 318.18(8) is not waived by a plea of nolo contendere or by
15 the withholding of adjudication of guilt by a court.

16 Section 2. Section 322.025, Florida Statutes, is
17 amended to read:

18 322.025 Driver improvement; points deducted for
19 out-of-state violation or federal violation.--

20 (1) The department may implement programs to improve
21 the driving ability of the drivers of this state. Such
22 programs may include, but shall not be limited to, safety
23 awareness campaigns, driver training, and licensing
24 improvement. Motorcycle driver improvement programs
25 implemented pursuant to this section or s. 322.0255 shall be
26 funded by the motorcycle safety education fee collected
27 pursuant to s. 320.08(1)(c), which shall be deposited in the
28 Highway Safety Operating Trust Fund of the department and
29 appropriated for that purpose.

30 (2) If a person has been convicted in another state of
31 a violation that, if committed in this state, would be a

1 violation of the traffic laws of this state or has been
2 convicted of an offense under any federal law that
3 substantially conforms to the traffic laws of this state,
4 except for a violation of s. 322.26, and that person has been
5 assessed points due to any such conviction, he or she may
6 elect to attend in the location of his or her choice within
7 this state a basic driver improvement course approved by the
8 department. In such case, the department shall deduct points,
9 as provided by s. 322.27, from the person's driving record.
10 The person may not make an election under this subsection if
11 he or she has made an election under this subsection or s.
12 318.14(9) during the preceding 12 months. A person may not
13 make more than a combined total of five elections under this
14 subsection and s. 318.14(9).

15 Section 3. Subsection (4) of section 318.1451, Florida
16 Statutes, is amended to read:

17 318.1451 Driver improvement schools.--

18 (4) In addition to a regular course fee, an assessment
19 fee in the amount of \$2.50 shall be collected by the school
20 from each person who elects to attend a course, as it relates
21 to ss. 318.14(9), 322.025(2), 322.0261, 322.291, and
22 627.06501, which shall be remitted to the Department of
23 Highway Safety and Motor Vehicles and deposited in the Highway
24 Safety Operating Trust Fund to administer this program and to
25 fund the general operations of the department.

26 Section 4. This act shall take effect July 1, 2005.
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SENATE SUMMARY

Authorizes a person to elect to attend an intermediate driver improvement course as a third, fourth, or fifth election rather than a basic driver improvement course. Requires the Department of Highway Safety and Motor Vehicles to deduct points from a person's driving record for certain traffic violations that occur in another state or that violate federal law.

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