

Bill No. CS for SB 1322

Barcode 551218

CHAMBER ACTION

Senate

House

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Comm: WD
03/08/2006 08:00 AM

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The Committee on Transportation (Bennett) recommended the following amendment:

Senate Amendment (with title amendment)

On page 1, line 13,

insert:

Section 1. Section 322.056, Florida Statutes, is amended to read:

322.056 Mandatory revocation or suspension of, or delay of eligibility for, driver's license for persons under age ~~21~~ found guilty of certain alcohol, drug, or tobacco offenses; prohibition.--

(1) Notwithstanding the provisions of s. 322.055, if a person under ~~21~~ years of age is found guilty of or delinquent for a violation of s. 562.11(2), s. 562.111, or chapter 893, and:

(a) The person is eligible by reason of age for a driver's license or driving privilege, the court shall direct the department to revoke or to withhold issuance of his or her driver's license or driving privilege for a period of:

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1 1. Not less than 6 months and not more than 1 year for
2 the first violation.

3 2. Two years, for a subsequent violation.

4 (b) The person's driver's license or driving privilege
5 is under suspension or revocation for any reason, the court
6 shall direct the department to extend the period of suspension
7 or revocation by an additional period of:

8 1. Not less than 6 months and not more than 1 year for
9 the first violation.

10 2. Two years, for a subsequent violation.

11 (c) The person is ineligible by reason of age for a
12 driver's license or driving privilege, the court shall direct
13 the department to withhold issuance of his or her driver's
14 license or driving privilege for a period of:

15 1. Not less than 6 months and not more than 1 year
16 after the date on which he or she would otherwise have become
17 eligible, for the first violation.

18 2. Two years after the date on which he or she would
19 otherwise have become eligible, for a subsequent violation.

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21 However, the court may, in its sound discretion, direct the
22 department to issue a license for driving privileges
23 restricted to business or employment purposes only, as defined
24 in s. 322.271, if the person is otherwise qualified for such a
25 license.

26 (2) If a person under 18 years of age is found by the
27 court to have committed a noncriminal violation under s.
28 569.11 and that person has failed to comply with the
29 procedures established in that section by failing to fulfill
30 community service requirements, failing to pay the applicable
31 fine, or failing to attend a locally available school-approved

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1 anti-tobacco program, and:

2 (a) The person is eligible by reason of age for a
3 driver's license or driving privilege, the court shall direct
4 the department to revoke or to withhold issuance of his or her
5 driver's license or driving privilege as follows:

- 6 1. For the first violation, for 30 days.
- 7 2. For the second violation within 12 weeks of the
8 first violation, for 45 days.

9 (b) The person's driver's license or driving privilege
10 is under suspension or revocation for any reason, the court
11 shall direct the department to extend the period of suspension
12 or revocation by an additional period as follows:

- 13 1. For the first violation, for 30 days.
- 14 2. For the second violation within 12 weeks of the
15 first violation, for 45 days.

16 (c) The person is ineligible by reason of age for a
17 driver's license or driving privilege, the court shall direct
18 the department to withhold issuance of his or her driver's
19 license or driving privilege as follows:

- 20 1. For the first violation, for 30 days.
- 21 2. For the second violation within 12 weeks of the
22 first violation, for 45 days.

23
24 Any second violation of s. 569.11 not within the 12-week
25 period after the first violation will be treated as a first
26 violation and in the same manner as provided in this
27 subsection.

28 (3) If a person under 18 years of age is found by the
29 court to have committed a third violation of s. 569.11 within
30 12 weeks of the first violation, the court must direct the
31 Department of Highway Safety and Motor Vehicles to suspend or

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1 withhold issuance of his or her driver's license or driving
 2 privilege for 60 consecutive days. Any third violation of s.
 3 569.11 not within the 12-week period after the first violation
 4 will be treated as a first violation and in the same manner as
 5 provided in subsection (2).

6 (4) A penalty imposed under this section shall be in
 7 addition to any other penalty imposed by law.

8 (5) The suspension or revocation of a person's
 9 driver's license imposed pursuant to subsection (2) or
 10 subsection (3), shall not result in or be cause for an
 11 increase of the convicted person's, or his or her parent's or
 12 legal guardian's, automobile insurance rate or premium or
 13 result in points assessed against the person's driving record.

14
 15 (Redesignate subsequent sections.)

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

19 And the title is amended as follows:

20 On page 1, between lines 2 and 3,

21

22 insert:

23 s. 322.056, F.S., requiring the court to
 24 withhold the issuance of, or suspend or revoke,
 25 the driver's license of persons under the age
 26 of 21 found guilty of certain alcohol offenses,
 27 amending

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