

1 the issuance of, or suspend or revoke, the driver's license or
2 driving privilege, as provided in s. 322.057, of any person
3 who violates subparagraph 1. This subparagraph does not apply
4 to a licensee, as defined in s. 561.01, who violates
5 subparagraph 1. while acting within the scope of his or her
6 license or an employee or agent of a licensee, as defined in
7 s. 561.01, who violates subparagraph 1. while engaged within
8 the scope of his or her employment or agency.

9 Section 2. Section 322.057, Florida Statutes, is
10 created to read:

11 322.057 Discretionary revocation or suspension of
12 driver's license for certain persons who provide alcohol to
13 persons under 21 years of age.--

14 (1) Notwithstanding s. 322.28, the court may order the
15 department to withhold the issuance of, or suspend or revoke,
16 the driver's license of a person who is found guilty of a
17 violation of s. 562.11(1)(a) for not less than 3 months or
18 more than 6 months for a first violation and for 1 year for
19 any subsequent violation. This subsection does not apply to a
20 licensee who violates s. 562.11(1)(a) while acting within the
21 scope of his or her license or an employee or agent of a
22 licensee who violates s. 562.11(1)(a) while engaged within the
23 scope of his or her employment or agency.

24 (2) The court may direct the department to issue a
25 driver's license restricted to business or employment purposes
26 only, as provided in s. 322.271, to a person who is otherwise
27 qualified for a license.

28 Section 3. This act shall take effect October 1, 2006.

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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
CS/SB 1322

Makes it discretionary, rather than mandatory, for the court
to direct the DHSMV to revoke or suspend a driver's license or
driving privilege under the bill.