

1 A bill to be entitled
 2 An act relating to driver license restrictions; amending
 3 s. 322.16, F.S.; restricting the number of certain
 4 passengers permitted in a vehicle operated by a person
 5 under a certain age; providing exceptions; providing
 6 penalties; amending s. 318.14, F.S.; providing citation
 7 procedures for violation of said restrictions; providing
 8 an effective date.

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

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 12 Section 1. Subsections (4), (5), and (6) of section
 13 322.16, Florida Statutes, are amended and renumbered as
 14 subsections (5), (6), and (7), respectively, and a new
 15 subsection (4) is added to that section, to read:

16 322.16 License restrictions.--

17 (4) A person who holds a driver's license who has not
 18 attained 18 years of age shall not operate a motor vehicle with
 19 more than one passenger in the vehicle who has not attained 18
 20 years of age, unless any additional passenger or passengers who
 21 have not attained 18 years of age are siblings or children of
 22 the driver, whether related by the whole or half blood, by
 23 affinity, or by adoption.

24 (5)~~(4)~~ The department may, upon receiving satisfactory
 25 evidence of any violation of the restriction upon such a
 26 license, except a violation of paragraph (1)(d), subsection (2),
 27 or subsection (3), or subsection (4), suspend or revoke the

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28 license, but the licensee is entitled to a hearing as upon a
 29 suspension or revocation under this chapter.

30 (6)~~(5)~~ It is a misdemeanor of the second degree,
 31 punishable as provided in s. 775.082 or s. 775.083, for any
 32 person to operate a motor vehicle in any manner in violation of
 33 the restrictions imposed in a license issued to him or her
 34 except for a violation of paragraph (1)(d), subsection (2), ~~or~~
 35 subsection (3), or subsection (4).

36 (7)~~(6)~~ Any person who operates a motor vehicle in
 37 violation of the restrictions imposed in subsection (2), ~~or~~
 38 subsection (3), or subsection (4) commits a noncriminal traffic
 39 infraction, punishable as will be charged with a moving
 40 violation as provided in and fined in accordance with chapter
 41 318.

42 Section 2. Subsection (1) of section 318.14, Florida
 43 Statutes, is amended to read:

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

46 (1) Except as provided in ss. 318.17 and 320.07(3)(c), any
 47 person cited for a violation of chapter 316, s. 320.0605, s.
 48 320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.16(2), ~~or~~
 49 (3), or (4), s. 322.161(5), s. 322.19, or s. 1006.66(3) is
 50 charged with a noncriminal infraction and must be cited for such
 51 an infraction and cited to appear before an official. If another
 52 person dies as a result of the noncriminal infraction, the
 53 person cited may be required to perform 120 community service
 54 hours under s. 316.027(4), in addition to any other penalties.

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