

Bill No. CS for SB 1742

Barcode 091180

CHAMBER ACTION

Senate

House

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The Committee on Government Efficiency Appropriations (Posey) recommended the following **amendment to amendment** (155312):

**Senate Amendment (with title amendment)**

On page 70, between lines 11 and 12,

insert:

Section 35. Subsection (3) of section 322.27, Florida Statutes, is amended to read:

322.27 Authority of department to suspend or revoke license.--

(3) There is established a point system for evaluation of convictions of violations of motor vehicle laws or ordinances, and violations of applicable provisions of s. 403.413(6)(b) when such violations involve the use of motor vehicles, for the determination of the continuing qualification of any person to operate a motor vehicle. The department is authorized to suspend the license of any person upon showing of its records or other good and sufficient evidence that the licensee has been convicted of violation of motor vehicle laws or ordinances, or applicable provisions of

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1 s. 403.413(6)(b), amounting to 12 or more points as determined  
2 by the point system. The suspension shall be for a period of  
3 not more than 1 year.

4 (a) When a licensee accumulates 12 points within a  
5 12-month period, the period of suspension shall be for not  
6 more than 30 days.

7 (b) When a licensee accumulates 18 points, including  
8 points upon which suspension action is taken under paragraph  
9 (a), within an 18-month period, the suspension shall be for a  
10 period of not more than 3 months.

11 (c) When a licensee accumulates 24 points, including  
12 points upon which suspension action is taken under paragraphs  
13 (a) and (b), within a 36-month period, the suspension shall be  
14 for a period of not more than 1 year.

15 (d) The point system shall have as its basic element a  
16 graduated scale of points assigning relative values to  
17 convictions of the following violations:

18 1. Reckless driving, willful and wanton--4 points.

19 2. Leaving the scene of a crash resulting in property  
20 damage of more than \$50--6 points.

21 3. Unlawful speed resulting in a crash--6 points.

22 4. Passing a stopped school bus--4 points.

23 5. Unlawful speed:

24 a. Not in excess of 15 miles per hour of lawful or  
25 posted speed--3 points.

26 b. In excess of 15 miles per hour but less than 30  
27 miles per hour of lawful or posted speed--4 points.

28 c. Thirty miles per hour or more in excess of lawful  
29 or posted speed--6 points.

30 6. A violation of a traffic control signal device as  
31 provided in s. 316.074(1) or s. 316.075(1)(c)1.--4 points.

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1           7. All other moving violations (including parking on a  
 2 highway outside the limits of a municipality)--3 points.  
 3 However, no points shall be imposed for a violation of s.  
 4 316.0741 or s. 316.2065(12).

5           8. Any moving violation covered above, excluding  
 6 unlawful speed, resulting in a crash--4 points.

7           9. Any conviction under s. 403.413(6)(b)--3 points.

8           10. Any conviction under s. 316.0775(2)--4 points.

9           (e) A conviction in another state of a violation  
 10 therein which, if committed in this state, would be a  
 11 violation of the traffic laws of this state, or a conviction  
 12 of an offense under any federal law substantially conforming  
 13 to the traffic laws of this state, except a violation of s.  
 14 322.26, may be recorded against a driver on the basis of the  
 15 same number of points received had the conviction been made in  
 16 a court of this state.

17           (f) In computing the total number of points, when the  
 18 licensee reaches the danger zone, the department is authorized  
 19 to send the licensee a warning letter advising that any  
 20 further convictions may result in suspension of his or her  
 21 driving privilege.

22           (g) The department shall administer and enforce the  
 23 provisions of this law and may make rules and regulations  
 24 necessary for its administration.

25           (h) Three points shall be deducted from the driver  
 26 history record of any person whose driving privilege has been  
 27 suspended only once pursuant to this subsection and has been  
 28 reinstated, if such person has complied with all other  
 29 requirements of this chapter.

30           (i) This subsection shall not apply to persons  
 31 operating a nonmotorized vehicle for which a driver's license

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1 is not required.

2           (j) For purposes of sub-subparagraph (d)5.c., the term  
3 "conviction" means a finding of guilt, with or without  
4 adjudication of guilt, as a result of a jury verdict, nonjury  
5 trial, or entry of a plea of guilty or nolo contendere,  
6 notwithstanding s. 318.14(11).

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

10 And the title is amended as follows:

11           On page 84, line 12, after the semicolon

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13 insert:

14           amending s. 322.27, F.S.; providing for an  
15           increase in driver points for certain  
16           speed-limit violations;

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