

By Senator Saunders

37-1625-06

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A bill to be entitled

An act relating to driver's licenses; creating the "Mature Drivers Act"; amending s. 322.05, F.S.; revising age requirements for issuance of driver's licenses; amending ss. 322.126 and 322.161, F.S., relating to reporting of licensed driver's or applicant's mental or physical disability to drive or need to obtain or wear a medical identification bracelet and restriction of the driving privilege of a person who has accumulated six or more points within a 12-month period; conforming provisions to changes made by the act; amending s. 322.1615, F.S.; revising age requirements for issuance of learner's driver's licenses; providing an effective date.

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

Section 1. This act may be cited as the "Mature Drivers Act."

Section 2. Subsections (1), (2), and (3) of section 322.05, Florida Statutes, are amended to read:

322.05 Persons not to be licensed.--The department may not issue a license:

(1) To a person who has not attained 17 years of age ~~is under the age of 16 years~~, except that the department may issue a learner's driver's license to a person who is at least 16 15 years of age and who meets the requirements of ss. 322.091 and 322.1615 and of any other applicable law or rule.

1 (2) To a person who is at least 17 ~~16~~ years of age but
2 who has not attained ~~is under~~ 18 years of age unless the
3 person meets the requirements of s. 322.091 and holds a valid:

4 (a) Learner's driver's license for at least 12 months,
5 with no traffic convictions, before applying for a license;

6 (b) Learner's driver's license for at least 12 months
7 and who has a traffic conviction but elects to attend a
8 traffic driving school for which adjudication must be withheld
9 pursuant to s. 318.14; or

10 (c) License that was issued in another state or in a
11 foreign jurisdiction and that would not be subject to
12 suspension or revocation under the laws of this state.

13 (3) To a person who is at least 17 ~~16~~ years of age but
14 who has not attained ~~is under~~ 18 years of age, unless the
15 parent, guardian, or other responsible adult meeting the
16 requirements of s. 322.09 certifies that he or she, or another
17 licensed driver 21 years of age or older, has accompanied the
18 applicant for a total of not less than 50 hours of ~~hours~~
19 behind-the-wheel experience, of which not less than 10 hours
20 must be at night. This subsection is not intended to create a
21 private cause of action as a result of the certification. The
22 certification is inadmissible for any purpose in any civil
23 proceeding.

24 Section 3. Subsection (2) of section 322.126, Florida
25 Statutes, is amended to read:

26 322.126 Report of disability to department; content;
27 use.--

28 (2) Any physician, person, or agency having knowledge
29 of any licensed driver's or applicant's mental or physical
30 disability to drive or need to obtain or to wear a medical
31 identification bracelet is authorized to report such knowledge

1 to the Department of Highway Safety and Motor Vehicles. The
2 report should be made in writing giving the full name, date of
3 birth, address, and a description of the alleged disability of
4 any person who is at least 16 ~~over 15~~ years of age having
5 mental or physical disorders that could affect his or her
6 driving ability.

7 Section 4. Subsection (1) of section 322.161, Florida
8 Statutes, is amended to read:

9 322.161 High-risk drivers; restricted licenses.--

10 (1)(a) Notwithstanding any provision of law to the
11 contrary, the department shall restrict the driving privilege
12 of any Class E licensee who is 16 or age 15 through 17 years
13 of age and who has accumulated six or more points pursuant to
14 s. 318.14, excluding parking violations, within a 12-month
15 period.

16 (b) Upon determination that any person has accumulated
17 six or more points, the department shall notify the licensee
18 and issue the licensee a restricted license for business
19 purposes only. The licensee must appear before the department
20 within 10 days after notification to have this restriction
21 applied. The period of restriction shall be for a period of no
22 less than 1 year beginning on the date it is applied by the
23 department.

24 (c) The restriction shall be automatically withdrawn
25 by the department after 1 year if the licensee does not
26 accumulate any additional points. If the licensee accumulates
27 any additional points, then the period of restriction shall be
28 extended 90 days for each point. The restriction shall also be
29 automatically withdrawn upon the licensee's 18th birthday if
30 no other grounds for restriction exist. The licensee must
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1 appear before the department to have the restriction removed
2 and a duplicate license issued.

3 Section 5. Subsection (1) of section 322.1615, Florida
4 Statutes, is amended to read:

5 322.1615 Learner's driver's license.--

6 (1) The department may issue a learner's driver's
7 license to a person who is at least 16 ~~15~~ years of age and
8 who:

9 (a) Has passed the written examination for a learner's
10 driver's license;

11 (b) Has passed the vision and hearing examination
12 administered under s. 322.12;

13 (c) Has completed the traffic law and substance abuse
14 education course prescribed in s. 322.095; and

15 (d) Meets all other requirements set forth in law and
16 by rule of the department.

17 Section 6. This act shall take effect July 1, 2006.

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