

CHAMBER ACTION

1 The Transportation Committee recommends the following:

2
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to license plates; requiring a driver
7 whose driving privileges are restricted because of a
8 conviction related to driving under the influence to have
9 a DUI plate on any vehicle that he or she operates;
10 providing for the Department of Highway Safety and Motor
11 Vehicles to develop such a plate; providing requirements
12 for such a plate; providing an annual surcharge for the
13 plate; providing for the use of such surcharge; amending
14 s. 322.271, F.S.; requiring that a person whose driving
15 privilege has been revoked under a specified provision
16 only be granted restricted driving privileges on the
17 condition that he or she operates only a vehicle that
18 displays a DUI license plate; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. (1) The Department of Highway Safety and Motor
23 Vehicles shall develop a DUI license plate that must be

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24 displayed on any vehicle that is operated by a person whose
25 driving privileges are restricted pursuant to s. 322.271,
26 Florida Statutes, because of a conviction related to driving
27 under the influence in violation of s. 316.193, Florida
28 Statutes.

29 (2) The plate shall be a bright coral color that is easily
30 distinguishable from other plates issued in this state. The word
31 "Florida" must appear at the top of the plate, and the first
32 three letters in the alphanumeric numbering system used on the
33 plate must be "DUI".

34 (3) In addition to the other license plate fees and
35 charges collected, an annual surcharge of \$20 shall be collected
36 for each DUI plate. The proceeds from the surcharge shall be
37 deposited into the Trauma Services Trust Fund created by s.
38 395.4035, Florida Statutes, and used for purposes provided in
39 that section.

40 Section 2. Subsection (1) of section 322.271, Florida
41 Statutes, is amended to read:

42 322.271 Authority to modify revocation, cancellation, or
43 suspension order.--

44 (1) (a) Upon the suspension, cancellation, or revocation of
45 the driver's license of any person as authorized or required in
46 this chapter, except a person whose license is revoked as a
47 habitual traffic offender under s. 322.27(5) or a person who is
48 ineligible to be granted the privilege of driving on a limited
49 or restricted basis under subsection (2), the department shall
50 immediately notify the licensee and, upon his or her request,
51 shall afford him or her an opportunity for a hearing pursuant to

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52 | chapter 120, as early as practicable within not more than 30
53 | days after receipt of such request, in the county wherein the
54 | licensee resides, unless the department and the licensee agree
55 | that such hearing may be held in some other county.

56 | (b) A person whose driving privilege has been revoked
57 | under s. 322.27(5) may, upon expiration of 12 months from the
58 | date of such revocation, petition the department for
59 | reinstatement of his or her driving privilege. Upon such
60 | petition and after investigation of the person's qualification,
61 | fitness, and need to drive, the department shall hold a hearing
62 | pursuant to chapter 120 to determine whether the driving
63 | privilege shall be reinstated on a restricted basis solely for
64 | business or employment purposes.

65 | (c) For the purposes of this section, the term:

66 | 1. "A driving privilege restricted to business purposes
67 | only" means a driving privilege that is limited to any driving
68 | necessary to maintain livelihood, including driving to and from
69 | work, necessary on-the-job driving, driving for educational
70 | purposes, and driving for church and for medical purposes.

71 | 2. "A driving privilege restricted to employment purposes
72 | only" means a driving privilege that is limited to driving to
73 | and from work and any necessary on-the-job driving required by
74 | an employer or occupation.

75 |
76 | Driving for any purpose other than as provided by this paragraph
77 | is not permitted by a person whose driving privilege has been
78 | restricted to employment or business purposes. In addition, a
79 | person whose driving privilege is restricted to employment or

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80 | business purposes remains subject to any restriction that
81 | applied to the type of license which the person held at the time
82 | of the order of suspension, cancellation, or revocation. As a
83 | condition of the issuance of restricted driving privileges, the
84 | department shall also restrict a person whose driving privilege
85 | has been revoked under s. 322.28(2) to operating only a vehicle
86 | that displays a DUI license plate.

87 | Section 3. This act shall take effect July 1, 2006.