

Bill No. CS for SB 954

Barcode 870142

CHAMBER ACTION

Senate

House

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

Comm: RCS
04/18/2006 06:17 PM

.
. .
. .
. .
. .
. .

The Committee on Transportation and Economic Development
Appropriations (Margolis) recommended the following amendment:

Senate Amendment (with title amendment)

On page 1, after line 31,

insert:

Section 1. Paragraph (b) of subsection (3) of section
316.650, Florida Statutes, is amended to read:

316.650 Traffic citations.--

(3)

(b) If a traffic citation is issued pursuant to s.
316.1001, a traffic enforcement officer may deposit the
original and one copy of such traffic citation or, in the case
of a traffic enforcement agency that has an automated citation
system, may provide an electronic facsimile with a court
having jurisdiction over the alleged offense or with its
traffic violations bureau within 45 days after the date of
issuance of the citation to the violator. If the person cited
for the violation of s. 316.1001 makes the election provided
by s. 318.14(12) and pays the fine imposed by the toll

Bill No. CS for SB 954

Barcode 870142

1 authority plus the amount of the unpaid toll that is shown on
 2 the traffic citation directly to the governmental entity that
 3 issued the citation in accordance with s. 318.14(12), the
 4 traffic citation will not be submitted to the court, the
 5 disposition will be reported to the department by the
 6 governmental entity that issued the citation, and no points
 7 will be assessed against the person's driver's license.

8 Section 2. Subsection (12) of section 318.14, Florida
 9 Statutes, is amended to read:

10 318.14 Noncriminal traffic infractions; exception;
 11 procedures.--

12 (12) Any person cited for a violation of s. 316.1001
 13 may, in lieu of making an election as set forth in subsection
 14 (4) or s. 318.18(7), elect to pay a his or her fine of \$25, or
 15 such other amount as imposed by the toll authority, plus the
 16 amount of the unpaid toll that is shown on the traffic
 17 citation directly to the governmental entity that issued the
 18 citation, ~~within~~ within 30 days after the date of issuance of the
 19 citation. Any person cited for a violation of s. 316.1001 who
 20 does not elect to pay the fine imposed by the toll authority
 21 plus the amount of the unpaid toll that is shown on the
 22 traffic citation directly to the governmental entity that
 23 issued the citation as described in this subsection ~~section~~
 24 shall have an additional 45 days after the date of the
 25 issuance of the citation in which to request a court hearing
 26 or to pay the civil penalty and delinquent fee, if applicable,
 27 as provided in s. 318.18(7), either by mail or in person, in
 28 accordance with subsection (4).

29 Section 3. Subsection (7) of section 318.18, Florida
 30 Statutes, is amended to read:

31 318.18 Amount of civil penalties.--The penalties

Bill No. CS for SB 954

Barcode 870142

1 required for a noncriminal disposition pursuant to s. 318.14
2 are as follows:

3 (7) Mandatory one hundred dollar fine ~~dollars~~ for each
4 a violation of s. 316.1001 plus the amount of the unpaid toll
5 shown on the traffic citation for each citation issued. The
6 clerk of the court shall forward \$25 of the \$100 fine received
7 plus the amount of the unpaid toll that is shown on the
8 citation to the governmental entity that issued the citation.
9 If adjudication is withheld or there is a plea arrangement
10 prior to a hearing, there shall be a minimum mandatory fine
11 assessed per citation of \$100 plus the amount of the unpaid
12 toll for each citation issued. The clerk of the court shall
13 forward \$25 of the \$100 plus the amount of the unpaid toll as
14 shown on the citation to the governmental entity that issued
15 the citation. The court shall have specific authority to
16 consolidate issued citations for the same defendant for the
17 purpose of sentencing and aggregate jurisdiction. In addition,
18 the department shall suspend for 60 days the driver's license
19 of a person who is convicted of 10 violations of s. 316.1001
20 within a 36-month period. However, a person may elect to pay
21 \$30 to the clerk of the court, in which case adjudication is
22 withheld, and no points are assessed under s. 322.27. Upon
23 receipt of the fine, the clerk of the court must retain \$5 for
24 administrative purposes and must forward the \$25 to the
25 governmental entity that issued the citation. Any funds
26 received by a governmental entity for this violation may be
27 used for any lawful purpose related to the operation or
28 maintenance of a toll facility.

29
30 (Redesignate subsequent sections.)

31

Bill No. CS for SB 954

Barcode 870142

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

2 And the title is amended as follows:

3 On page 1, line 2, after the semicolon

4

5 insert:

6 amending s. 316.650, F.S.; revising procedures
7 for disposition of citations issued for failure
8 to pay toll; providing that the citation will
9 not be submitted to the court and no points
10 will be assessed on the driver's license if the
11 person cited elects to make payment directly to
12 the governmental entity that issued the
13 citation; providing for reporting of the
14 citation by the governmental entity to the
15 Department of Highway Safety and Motor
16 Vehicles; amending s. 318.14, F.S.; providing
17 for the amount required to be paid under
18 certain procedures for disposition of a
19 citation issued for failure to pay toll;
20 providing for the person cited to request a
21 court hearing; amending s. 318.18, F.S.;
22 revising penalties for failure to pay a
23 prescribed toll; providing for disposition of
24 amounts received by the clerk of court;
25 revising procedures for withholding of
26 adjudication; providing for suspension of a
27 driver's license under certain circumstances;

28

29

30

31