

A bill to be entitled

An act relating to driver licenses; creating the "Mature Drivers Act"; amending s. 322.05, F.S.; revising age requirements for issuance of driver 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 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.

HB 975

2006

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

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

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

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

40 (3) To a person who is at least 17 ~~16~~ years of age but who
 41 has not attained ~~is under~~ 18 years of age, unless the parent,
 42 guardian, or other responsible adult meeting the requirements of
 43 s. 322.09 certifies that he or she, or another licensed driver
 44 21 years of age or older, has accompanied the applicant for a
 45 total of not less than 50 hours of ~~hours~~ behind-the-wheel
 46 experience, of which not less than 10 hours must be at night.
 47 This subsection is not intended to create a private cause of
 48 action as a result of the certification. The certification is
 49 inadmissible for any purpose in any civil proceeding.

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

52 322.126 Report of disability to department; content;
 53 use.--

54 (2) Any physician, person, or agency having knowledge of
 55 any licensed driver's or applicant's mental or physical

HB 975

2006

56 disability to drive or need to obtain or to wear a medical
57 identification bracelet is authorized to report such knowledge
58 to the Department of Highway Safety and Motor Vehicles. The
59 report should be made in writing giving the full name, date of
60 birth, address, and a description of the alleged disability of
61 any person who is at least 16 ~~over 15~~ years of age having mental
62 or physical disorders that could affect his or her driving
63 ability.

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

66 322.161 High-risk drivers; restricted licenses.--

67 (1) (a) Notwithstanding any provision of law to the
68 contrary, the department shall restrict the driving privilege of
69 any Class E licensee who is 16 or age 15 through 17 years of age
70 and who has accumulated six or more points pursuant to s.
71 318.14, excluding parking violations, within a 12-month period.

72 (b) Upon determination that any person has accumulated six
73 or more points, the department shall notify the licensee and
74 issue the licensee a restricted license for business purposes
75 only. The licensee must appear before the department within 10
76 days after notification to have this restriction applied. The
77 period of restriction shall be for a period of no less than 1
78 year beginning on the date it is applied by the department.

79 (c) The restriction shall be automatically withdrawn by
80 the department after 1 year if the licensee does not accumulate
81 any additional points. If the licensee accumulates any
82 additional points, then the period of restriction shall be
83 extended 90 days for each point. The restriction shall also be

HB 975

2006

84 automatically withdrawn upon the licensee's 18th birthday if no
85 other grounds for restriction exist. The licensee must appear
86 before the department to have the restriction removed and a
87 duplicate license issued.

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

90 322.1615 Learner's driver's license.--

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

93 (a) Has passed the written examination for a learner's
94 driver's license;

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

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

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

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