

By Senator Lynn

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A bill to be entitled

An act relating to habitual traffic offenders;
amending s. 322.264, F.S.; exempting persons
convicted under specified provisions of driving
with a canceled, suspended, or revoked driver's
license from being designated as a habitual
traffic offender after three convictions;
providing an effective date.

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

Section 1. Section 322.264, Florida Statutes, is
amended to read:

322.264 "Habitual traffic offender" defined.--A
"habitual traffic offender" is any person whose record, as
maintained by the Department of Highway Safety and Motor
Vehicles, shows that such person has accumulated the specified
number of convictions for offenses described in subsection (1)
or subsection (2) within a 5-year period:

(1) Three or more convictions of any one or more of
the following offenses arising out of separate acts:

(a) Voluntary or involuntary manslaughter resulting
from the operation of a motor vehicle;

(b) Any violation of s. 316.193, former s. 316.1931,
or former s. 860.01;

(c) Any felony in the commission of which a motor
vehicle is used;

(d) Any conviction, except a conviction under s.
322.34(1), for driving a motor vehicle while his or her
license is suspended or revoked;

1 (e) Failing to stop and render aid as required under
2 the laws of this state in the event of a motor vehicle crash
3 resulting in the death or personal injury of another; or

4 (f) Driving a commercial motor vehicle while his or
5 her privilege is disqualified.

6 (2) Fifteen convictions for moving traffic offenses
7 for which points may be assessed as set forth in s. 322.27,
8 including those offenses in subsection (1).

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10 Any violation of any federal law, any law of another state or
11 country, or any valid ordinance of a municipality or county of
12 another state similar to a statutory prohibition specified in
13 subsection (1) or subsection (2) shall be counted as a
14 violation of such prohibition. In computing the number of
15 convictions, all convictions during the 5 years previous to
16 July 1, 1972, will be used, provided at least one conviction
17 occurs after that date. The fact that previous convictions
18 may have resulted in suspension, revocation, or
19 disqualification under another section does not exempt them
20 from being used for suspension or revocation under this
21 section as a habitual offender.

22 Section 2. This act shall take effect July 1, 2007.

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25 SENATE SUMMARY

26 Exempts person under certain circumstances persons
27 convicted of driving with a suspended license from
28 provisions that designate as a habitual traffic offender
29 a person having three or more convictions for driving
30 with a suspended or revoked license.
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