

By Senator Dockery

15-03565D-08

20081988__

1 A bill to be entitled

2 An act relating to driving with a license that is
3 suspended, revoked, or canceled; amending s. 322.34, F.S.;
4 providing that a person commits a second-degree
5 misdemeanor upon a first conviction and a first-degree
6 misdemeanor upon a second or subsequent conviction of the
7 same offense if the person commits certain specified
8 violations of law; requiring the Department of Highway
9 Safety and Motor Vehicles to study the effectiveness of
10 suspending a person's driver's license for certain
11 specified violations of law; requiring that the
12 department, in consultation with the Office of Program
13 Policy Analysis and Government Accountability and other
14 affected entities, prepare a report and submit its
15 findings and recommendations to the Governor and the
16 Legislature by a specified date; providing an effective
17 date.

18
19 Be It Enacted by the Legislature of the State of Florida:

20
21 Section 1. Subsection (10) is added to section 322.34,
22 Florida Statutes, to read:

23 322.34 Driving while license suspended, revoked, canceled,
24 or disqualified.--

25 (10) (a) Notwithstanding any other provision of this
26 section, if a person does not have a prior forcible felony
27 conviction as defined in s. 776.08, the penalties provided in
28 paragraph (b) apply if a person's driver's license or driving
29 privilege is canceled, suspended, or revoked for:

15-03565D-08

20081988__

30 1. Failing to pay child support as provided in s. 322.245
31 or s. 61.13016;

32 2. Failing to pay any other financial obligation as
33 provided in s. 322.245 other than those specified in s.
34 322.245(1);

35 3. Failing to comply with a civil penalty required in s.
36 318.15;

37 4. Failing to maintain vehicular financial responsibility
38 as required by chapter 324;

39 5. Failing to comply with attendance or other requirements
40 for minors as set forth in s. 322.091; or

41 6. Having been designated a habitual traffic offender under
42 s. 322.264(1)(d) as a result of suspensions of his or her
43 driver's license or driver privilege for any underlying violation
44 listed in 1.-5.

45 (b)1. Upon a first conviction for driving while his or her
46 license is suspended, revoked, or canceled for any of the
47 underlying violations listed in paragraph (a)1.-6., a person
48 commits a misdemeanor of the second degree, punishable as
49 provided in s. 775.082 or s. 775.083.

50 2. Upon a second or subsequent conviction for the same
51 offense of driving while his or her license is suspended,
52 revoked, or canceled for any of the underlying violations listed
53 in paragraph (a)1.-6., a person commits a misdemeanor of the
54 first degree, punishable as provided in s. 775.082 or s. 775.083.

55 Section 2. The Department of Highway Safety and Motor
56 Vehicles shall conduct a study of the effectiveness of suspending
57 a person's driver's license for any of the underlying violations
58 as provided in section 1 of this act. The department, in

15-03565D-08

20081988__

59 consultation with the Office of Program Policy Analysis and
60 Government Accountability and other affected entities, shall
61 prepare a report that includes recommendations and describes the
62 success of using alternative methods that are designed to
63 increase compliance with these types of underlying violations.
64 The department shall submit its findings and recommendations to
65 the Governor and the Legislature by January 2, 2009.

66 Section 3. This act shall take effect July 1, 2008.