



262328

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: WD	.	
4/10/2008	.	
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1 The Committee on Transportation and Economic Development  
2 Appropriations (Webster) recommended the following **substitute for**  
3 **amendment (354226)** :

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5 **Senate Amendment**

6 Delete line(s) 2198-2226  
7 and insert:

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9 (8) Based on the determination of the hearing officer  
10 pursuant to subsection (7) for both informal hearings under  
11 subsection (4) and formal hearings under subsection (6), the  
12 department shall:

13 (a) Sustain the disqualification for a period of 1 year for  
14 a first refusal, or permanently if such person has been  
15 previously disqualified from operating a commercial motor vehicle  
16 as a result of a refusal to submit to such tests. The



262328

17 | disqualification period commences on the date of the arrest or  
18 | issuance of the notice of disqualification, whichever is later.

19 |       (b) Sustain the disqualification:

20 |       1. For a period of 6 months if the person was driving or in  
21 | actual physical control of a commercial motor vehicle, or any  
22 | motor vehicle if the driver holds a commercial driver's license,  
23 | and had an unlawful blood-alcohol level or breath-alcohol level  
24 | of 0.08 or higher; ~~for a violation of s. 316.193~~ or

25 |       2. For ~~for~~ a period of 1 year if the person has been  
26 | previously disqualified from operating a commercial motor vehicle  
27 | or his or her driving privilege has been previously suspended ~~for~~  
28 | driving or being in actual physical control of a commercial motor  
29 | vehicle, or any motor vehicle if the driver holds a commercial  
30 | driver's license, and had an unlawful blood-alcohol level or  
31 | breath-alcohol level of 0.08 or higher ~~as a result of a violation~~  
32 | ~~of s. 316.193.~~

33 |  
34 | The disqualification period commences on the date of the arrest  
35 | or issuance of the notice of disqualification, ~~whichever is~~  
36 | ~~later.~~

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