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CHAMBER ACTION

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

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4 **Senate Amendment (with title amendment)**

5 Delete line(s) 303-651

6 and insert:

7 Section 3. Effective July 1, 2006, subsection (6) of
8 section 316.1895, Florida Statutes, is amended to read:

9 316.1895 Establishment of school speed zones, enforcement;
10 designation.--

11 (6) Permanent signs designating school zones and school
12 zone speed limits shall be uniform in size and color, and shall
13 have the times during which the restrictive speed limit is
14 enforced clearly designated thereon. Flashing beacons activated
15 by a time clock, or other automatic device, or manually activated
16 may be used as an alternative to posting the times during which
17 the restrictive school speed limit is enforced. Beginning July 1,



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18 | 2008, for any newly established school zone or any school zone in
19 | which the signing has been replaced, a sign stating "Speeding
20 | Fines Doubled" shall be installed within the school zone. The
21 | Department of Transportation shall establish adequate standards
22 | for the signs and flashing beacons.

23 | Section 4. Whoever willfully displays on a vehicle an
24 | obscene word, image, or device, including, but not limited to,
25 | reproductive glands, commits a noncriminal traffic violation,
26 | punishable as a moving violation as provided in chapter 318.

27 | Section 5. Subsection (4) of section 316.193, Florida
28 | Statutes, is amended to read:

29 | 316.193 Driving under the influence; penalties.--

30 | (4) Any person who is convicted of a violation of
31 | subsection (1) and who has a blood-alcohol level or breath-
32 | alcohol level of 0.15 ~~0.20~~ or higher, or any person who is
33 | convicted of a violation of subsection (1) and who at the time of
34 | the offense was accompanied in the vehicle by a person under the
35 | age of 18 years, shall be punished:

36 | (a) By a fine of:

37 | 1. Not less than \$500 or more than \$1,000 for a first
38 | conviction.

39 | 2. Not less than \$1,000 or more than \$2,000 for a second
40 | conviction.

41 | 3. Not less than \$2,000 for a third or subsequent
42 | conviction.

43 | (b) By imprisonment for:

44 | 1. Not more than 9 months for a first conviction.

45 | 2. Not more than 12 months for a second conviction.

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47 For the purposes of this subsection, only the instant offense is
48 required to be a violation of subsection (1) by a person who has
49 a blood-alcohol level or breath-alcohol level of 0.15 ~~0.20~~ or
50 higher.

51 (c) In addition to the penalties in paragraphs (a) and (b),
52 the court shall order the mandatory placement, at the convicted
53 person's sole expense, of an ignition interlock device approved
54 by the department in accordance with s. 316.1938 upon all
55 vehicles that are individually or jointly leased or owned and
56 routinely operated by the convicted person for not less than ~~up~~
57 ~~to~~ 6 continuous months for the first offense and for not less
58 than ~~at least~~ 2 continuous years for a second offense, when the
59 convicted person qualifies for a permanent or restricted license.
60 ~~The installation of such device may not occur before July 1,~~
61 ~~2003.~~

62 Section 6. Subsection (1) of section 316.1937, Florida
63 Statutes, is amended to read:

64 316.1937 Ignition interlock devices, requiring; unlawful
65 acts.--

66 (1) In addition to any other authorized penalties, the
67 court may require that any person who is convicted of driving
68 under the influence in violation of s. 316.193 shall not operate
69 a motor vehicle unless that vehicle is equipped with a
70 functioning ignition interlock device certified by the department
71 as provided in s. 316.1938, and installed in such a manner that
72 the vehicle will not start if the operator's blood alcohol level
73 is in excess of 0.05 percent or as otherwise specified by the
74 court. The court may require the use of an approved ignition
75 interlock device for a period of not less than 6 continuous
76 months, if the person is permitted to operate a motor vehicle,



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77 | whether or not the privilege to operate a motor vehicle is
78 | restricted, as determined by the court. The court, however, shall
79 | order placement of an ignition interlock device in those
80 | circumstances required by s. 316.193.

81 | Section 7. Subsection (1), subsection (2) of section
82 | 316.2397, Florida Statutes, are amended to read:

83 | 316.2397 Certain lights prohibited; exceptions.--

84 | (1) A No person may not ~~shall~~ drive or move or cause to be
85 | moved any vehicle or equipment upon any highway within this state
86 | with any lamp or device thereon showing or displaying a red or
87 | blue light visible from directly in front thereof except for
88 | certain vehicles hereinafter provided.

89 | (2) It is expressly prohibited for any vehicle or
90 | equipment, except police vehicles, to show or display blue
91 | lights. However, vehicles owned, operated, or leased by the
92 | Department of Corrections or any county correctional agency may
93 | show or display blue lights when responding to emergencies.

94 | Section 8. Subsection (2) of section 316.251, Florida
95 | Statutes, is amended to read:

96 | 316.251 Maximum bumper heights.--

97 | (2) "New motor vehicles" as defined in s. 319.001(9) ~~(8)~~,
98 | "antique automobiles" as defined in s. 320.08, "horseless
99 | carriages" as defined in s. 320.086, and "street rods" as defined
100 | in s. 320.0863 shall be excluded from the requirements of this
101 | section.

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104 | ===== T I T L E A M E N D M E N T =====

105 | And the title is amended as follows:

106 | Delete line(s) 12-72



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107 | and insert:
108 | a law enforcement officer; amending s. 316.1895, F.S.;
109 | requiring the placement of signs in certain school zones
110 | stating that speeding fines are doubled within the zone;
111 | providing noncriminal penalties for the display of obscene
112 | words, images, or devices on a motor vehicle; amending s.
113 | 316.193, F.S.; lowering the blood-alcohol or breath-
114 | alcohol level for which enhanced penalties are imposed
115 | against a person who was accompanied in the vehicle by a
116 | minor at the time of the offense; clarifying that an
117 | ignition interlock device is installed for a continuous
118 | period; amending s. 316.1937, F.S.; revising the
119 | conditions under which the court may require the use of an
120 | ignition interlock device; amending s. 316.2397, F.S.;
121 | authorizing specified agencies to display blue lights when
122 | responding to emergencies; amending s. 316.251, F.S.;
123 | conforming a cross-reference; amending