



112028

LEGISLATIVE ACTION

Senate

.

House

.

.

Floor: WD/2R

.

04/30/2009 05:01 PM

.

.

Senator Constantine moved the following:

1 **Senate Amendment to Amendment (728458) (with title**
2 **amendment)**

3
4 Between lines 1310 and 1311
5 insert:

6 Section 27. Paragraph (c) of subsection (4) of section
7 316.191, Florida Statutes, is amended to read:

8 316.191 Racing on highways.—

9 (4) Whenever a law enforcement officer determines that a
10 person was engaged in a drag race or race, as described in
11 subsection (1), the officer may immediately arrest and take such
12 person into custody. The court may enter an order of impoundment



112028

13 or immobilization as a condition of incarceration or probation.
14 Within 7 business days after the date the court issues the order
15 of impoundment or immobilization, the clerk of the court must
16 send notice by certified mail, return receipt requested, to the
17 registered owner of the motor vehicle, if the registered owner
18 is a person other than the defendant, and to each person of
19 record claiming a lien against the motor vehicle.

20 (c) Any motor vehicle used in violation of subsection (2)
21 may be impounded for a period of 30 ~~10~~ business days if a law
22 enforcement officer has arrested and taken a person into custody
23 pursuant to this subsection and the person being arrested is the
24 registered owner or coowner of the motor vehicle. If the
25 arresting officer finds that the criteria of this paragraph are
26 met, the officer may immediately impound the motor vehicle. The
27 law enforcement officer shall notify the Department of Highway
28 Safety and Motor Vehicles of any impoundment for violation of
29 this subsection in accordance with procedures established by the
30 department. The provisions of paragraphs (a) and (b) shall be
31 applicable to such impoundment.

32
33
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Delete line 1428

37 and insert:

38 Regional Transportation Authority; amending s.
39 316.191, F.S.; increasing the period for which a
40 vehicle may be impounded for certain violations of
41 state law relating to racing on highways; providing an



112028

42
43

effective date.