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LEGISLATIVE ACTION

Senate	.	House
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Floor: 1c/AD/3R	.	Floor: C
05/01/2009 11:39 AM	.	05/01/2009 02:59 PM
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Senator Constantine moved the following:

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

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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



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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.

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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



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effective date.