



170422

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/15/2009	.	
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The Committee on Finance and Tax (Pruitt) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 150 - 168  
and insert:

Section 8. Section 322.2707, Florida Statutes, is created to read:

322.2707 Surcharge reduction program.-

(1) The department shall establish a surcharge reduction program by rule to extend the payment period for a surcharge or to waive or reduce a surcharge assessed under ss. 322.2701-



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12 322.2709, the Florida's Driver Responsibility Law.

13 (2) The program shall waive the surcharge resulting from  
14 the first noncriminal infraction committed by a person within  
15 the preceding 48-month period.

16 (3) The program shall reduce the surcharge assessed as a  
17 result of points assessed under s. 322.27 for a person who  
18 completes a driver improvement program prescribed by the  
19 department. The department shall establish the amount of the  
20 reduction to create an incentive for drivers to enroll in a  
21 driver improvement program. The reduction shall be available to  
22 a driver once per 60-month period. The amount of the reduction  
23 may not exceed \$100. However, the reduction may not exceed \$75  
24 for a driver who, within the preceding 3-year period, was  
25 assessed points for violations relating to a motor vehicle  
26 accident or violations identified by the department as most  
27 likely to cause accidents with injuries.

28 (4) The program shall reduce or extend the payment period  
29 for surcharges exceeding \$400 annually which are imposed on  
30 persons who are indigent. In determining whether a person is  
31 indigent, the department shall use the standards for eligibility  
32 for the appointment of a public defender under s. 27.52. The  
33 maximum reduction may not exceed 75 percent of a surcharge. The  
34 maximum payment period may not be extended by more than one  
35 year. The rules shall require the department to consider the  
36 particular circumstances affecting a person upon whom a  
37 surcharge is imposed and to limit the extent to which reductions  
38 are available. The department may condition eligibility for a  
39 reduction on the completion of a driver improvement program. The  
40 department may charge a fee in an amount equal to the



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41 department's costs to determine a person's indigent status.

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43 ===== T I T L E A M E N D M E N T =====

44 And the title is amended as follows:

45 Delete lines 37 - 41

46 and insert:

47 specified annual surcharges; creating s. 322.2707,  
48 F.S.; requiring the department to adopt a surcharge  
49 reduction program by rule; requiring the department to  
50 waive the surcharge for a noncriminal infraction  
51 committed by a person within a certain time period;  
52 requiring the department to reduce the amount of a  
53 surcharge for certain drivers who complete a driver  
54 improvement program; requiring the department to  
55 reduce or extend the payment period for surcharges  
56 assessed against indigent persons; creating s.  
57 322.2709, F.S.; providing for