



380932

LEGISLATIVE ACTION

Senate

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House

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Floor: 1/WD/3R

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04/29/2009 11:20 AM

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Senator Constantine moved the following:

Senate Amendment (with title amendment)

Between lines 180 and 181

insert:

Section 5. Paragraph (c) of subsection (4) of section
316.191, Florida Statutes, is amended to read:

316.191 Racing on highways.—

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



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

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

31
32 ===== T I T L E A M E N D M E N T =====

33 And the title is amended as follows:

34 Delete line 16

35 and insert:

36 trauma centers; amending s. 316.191, F.S.; increasing
37 the period for which a vehicle may be impounded for
38 certain violations of state law relating to racing on
39 highways; providing an effective date.