

By the Committee on Transportation; and Senator Gaetz

596-02652-09

2009484c1

1 A bill to be entitled
2 An act relating to operators of motor vehicles
3 involved in multiple crashes; amending s. 322.0261,
4 F.S.; requiring that the Department of Highway Safety
5 and Motor Vehicles screen crash reports to identify a
6 third crash by the same operator within a specified
7 period after the driver's first crash; requiring a
8 driver who is convicted of or who pleads nolo
9 contendere to a traffic offense giving rise to three
10 or more crashes within a specified period to attend a
11 department-approved driver improvement course in order
12 to maintain his or her driving privileges; describing
13 the content of the driving course; requiring
14 successful completion of a behind-the-wheel
15 examination; requiring that the department cancel an
16 operator's driver's license if the operator fails to
17 complete the course within a specified time; providing
18 an effective date.

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20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. Section 322.0261, Florida Statutes, is amended
23 to read:

24 322.0261 Driver improvement course; requirement to maintain
25 driving privileges; failure to complete; department approval of
26 course.—

27 (1) The department shall screen crash reports received
28 under s. 316.066 or s. 324.051 to identify crashes involving the
29 following:

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30 (a) A crash involving death or a bodily injury requiring
31 transport to a medical facility; ~~or~~

32 (b) A second crash by the same operator within the previous
33 2-year period involving property damage in an apparent amount of
34 at least \$500; or-

35 (c) A third crash by the same operator within 36 months
36 after the first crash.

37 (2) With respect to an operator convicted of, or who
38 pleaded nolo contendere to, a traffic offense giving rise to a
39 crash identified in paragraph (1) (a) or paragraph (1) (b)
40 pursuant to subsection (1), the department shall require that
41 the operator, in addition to other applicable penalties, attend
42 a department-approved driver improvement course in order to
43 maintain driving privileges. If the operator fails to complete
44 the course within 90 days after ~~of~~ receiving notice from the
45 department, the operator's driver's license shall be canceled by
46 the department until the course is successfully completed.

47 (3) With respect to an operator convicted of, or who
48 pleaded nolo contendere to, a traffic offense giving rise to a
49 crash identified in paragraph (1) (c), the department shall
50 require that the operator, in addition to other applicable
51 penalties, attend a department-approved driver improvement
52 course in order to maintain his or her driving privileges. The
53 course must include behind-the-wheel instruction and an
54 assessment of the operator's ability to safely operate a motor
55 vehicle. Successful completion of a behind-the-wheel examination
56 is required in order to receive completion credit for the
57 course. If the operator fails to complete the course within 90
58 days after receiving notice from the department, the operator's

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59 driver's license shall be canceled by the department until the
60 course is successfully completed.

61 (4)~~(3)~~ The department shall identify any operator convicted
62 of, or who pleaded nolo contendere to, a second violation of s.
63 316.074(1) or s. 316.075(1)(c)1., which violation occurred
64 within 12 months after the first violation, and shall require
65 that operator, in addition to other applicable penalties, to
66 attend a department-approved driver improvement course in order
67 to maintain driving privileges. If the operator fails to
68 complete the course within 90 days after receiving notice from
69 the department, the operator's driver license shall be canceled
70 by the department until the course is successfully completed.

71 (5)~~(4)~~ In determining whether to approve a driver
72 improvement course for the purposes of this section, the
73 department shall consider course content designed to promote
74 safety, driver awareness, crash avoidance techniques, and other
75 factors or criteria to improve driver performance from a safety
76 viewpoint.

77 Section 2. This act shall take effect January 1, 2010.