

By the Committee on Transportation and Economic Development Appropriations; and Senator Fasano

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1                   A bill to be entitled  
2       An act relating to highway safety; amending s.  
3       316.066, F.S.; removing provisions requiring the  
4       driver of a vehicle that is involved in a crash  
5       resulting in bodily injury to or the death of any  
6       person or damage to any vehicle or other property to  
7       forward a written report of the crash to the  
8       Department of Highway Safety and Motor Vehicles within  
9       a specified time; requiring every law enforcement  
10      officer who investigates a motor vehicle crash to  
11      complete and submit to the department a Florida  
12      Traffic Crash Report, Long Form, within a specified  
13      time under certain circumstances; providing that in  
14      cases in which a Florida Traffic Crash Report, Long  
15      Form, is not required, the law enforcement officer may  
16      complete a short-form crash report or provide a short-  
17      form crash report to be completed by each party  
18      involved in the crash; requiring the driver of a  
19      vehicle that is involved in a crash that results in  
20      damage to any vehicle or other property in an amount  
21      of at least \$500 and that is not investigated by a law  
22      enforcement agency to forward a written report of the  
23      crash to the local law enforcement agency within a  
24      specified time; requiring the local law enforcement  
25      agency to maintain the short-form crash reports  
26      prepared by law enforcement officers or parties  
27      involved in the crash; amending s. 320.05, F.S.;  
28      requiring that certain fees be imposed for electronic  
29      access to registration data provided through the tax

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30           collector's office; requiring that the fees be  
31           deposited into the Highway Safety Operating Trust Fund  
32           in the Department of Highway Safety and Motor  
33           Vehicles; amending s. 321.25, F.S.; authorizing the  
34           Department of Highway Safety and Motor Vehicles to  
35           charge a fee to persons attending certain training  
36           events; amending s. 322.02, F.S.; revising legislative  
37           intent relating to the transition of all driver's  
38           license services from the department to the county tax  
39           collectors by a specified date; amending s. 322.135,  
40           F.S.; requiring the department to authorize any or all  
41           tax collectors in the state to serve as agents for the  
42           department by providing certain specified driver's  
43           license services; requiring the department, in  
44           conjunction with the Tax Collectors' Association, to  
45           develop a plan to provide for the transition of all  
46           driver's license issuance services to the county tax  
47           collectors who are constitutional officers; requiring  
48           that the plan be submitted to the President of the  
49           Senate and the Speaker of the House of Representatives  
50           by a specified date; removing obsolete provisions  
51           relating to the issuance of driver's licenses by the  
52           county tax collector; amending s. 322.20, F.S.;  
53           authorizing the Department of Highway Safety and Motor  
54           Vehicles to charge a fee for searching for an  
55           individual's driver history record that is not on file  
56           or that meets requested criteria; authorizing the  
57           county clerks of court and certain tax collectors to  
58           provide driver records to any person requesting such

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59 records and to assess a fee for such service; amending  
60 ss. 322.2615, 324.051, and 921.0022, F.S.; conforming  
61 cross-references; providing an effective date.

62

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

64

65 Section 1. Section 316.066, Florida Statutes, amended to  
66 read:

67 316.066 Written reports of crashes.—

68 ~~(1) The driver of a vehicle which is in any manner involved~~  
69 ~~in a crash resulting in bodily injury to or death of any person~~  
70 ~~or damage to any vehicle or other property in an apparent amount~~  
71 ~~of at least \$500 shall, within 10 days after the crash, forward~~  
72 ~~a written report of such crash to the department or traffic~~  
73 ~~records center. However, when the investigating officer has made~~  
74 ~~a written report of the crash pursuant to subsection (3), no~~  
75 ~~written report need be forwarded to the department or traffic~~  
76 ~~records center by the driver.~~

77 ~~(2) The receiving entity may require any driver of a~~  
78 ~~vehicle involved in a crash of which a written report must be~~  
79 ~~made as provided in this section to file supplemental written~~  
80 ~~reports whenever the original report is insufficient in the~~  
81 ~~opinion of the department and may require witnesses of crashes~~  
82 ~~to render reports to the department.~~

83 ~~(1) (3) (a)~~ Every law enforcement officer who in the regular  
84 course of duty investigates a motor vehicle crash shall complete  
85 and submit to the department a Florida Traffic Crash Report,  
86 Long Form, no later than 10 days after completing the  
87 investigation:

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88       1. Which crash resulted in death or personal injury ~~shall,~~  
89 ~~within 10 days after completing the investigation, forward a~~  
90 ~~written report of the crash to the department or traffic records~~  
91 ~~center.~~

92       2. Which crash involved a violation of s. 316.061(1) or s.  
93 ~~316.193 shall, within 10 days after completing the~~  
94 ~~investigation, forward a written report of the crash to the~~  
95 ~~department or traffic records center.~~

96       3. In which crash a vehicle was rendered inoperative to a  
97 ~~degree that which required a wrecker to remove it from traffic~~  
98 ~~may, within 10 days after completing the investigation, forward~~  
99 ~~a written report of the crash to the department or traffic~~  
100 ~~records center if such action is appropriate, in the officer's~~  
101 ~~discretion.~~

102       (b) In every case in which a Florida Traffic Crash Report,  
103 ~~Long Form, crash report is not required by this section and a~~  
104 ~~written report to a law enforcement officer is not prepared, the~~  
105 ~~law enforcement officer may complete a short-form crash report~~  
106 ~~or provide a short-form crash report to be completed by shall~~  
107 ~~provide each party involved in the crash a short-form report,~~  
108 ~~prescribed by the state, to be completed by the party.~~ The  
109 short-form report must include:

- 110       1. The date, time, and location of the crash;  
111       2. A description of the vehicles involved;  
112       3. The names and addresses of the parties involved;  
113       4. The names and addresses of witnesses;  
114       5. The name, badge number, and law enforcement agency of  
115 the officer investigating the crash; and  
116       6. The names of the insurance companies for the respective

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117 parties involved in the crash.

118       (c) Each party to the crash shall provide the law  
119 enforcement officer with proof of insurance to be included in  
120 the crash report. If a law enforcement officer submits a report  
121 on the accident, proof of insurance must be provided to the  
122 officer by each party involved in the crash. Any party who fails  
123 to provide the required information is guilty of an infraction  
124 for a nonmoving violation, punishable as provided in chapter 318  
125 unless the officer determines that due to injuries or other  
126 special circumstances such insurance information cannot be  
127 provided immediately. If the person provides the law enforcement  
128 agency, within 24 hours after the crash, proof of insurance that  
129 was valid at the time of the crash, the law enforcement agency  
130 may void the citation.

131       (d) The driver of a vehicle that is in any manner involved  
132 in a crash resulting in damage to any vehicle or other property  
133 in an amount of at least \$500 and the crash was not investigated  
134 by a law enforcement agency shall, within 10 days after the  
135 crash, forward a written report of the crash to the local law  
136 enforcement agency. The receiving law enforcement entity may  
137 require witnesses of crashes to render reports and any driver of  
138 a vehicle involved in a crash of which a written report must be  
139 made as provided in this section to file supplemental written  
140 reports whenever the original report is deemed insufficient by  
141 the receiving law enforcement agency.

142       (e) Short-form crash reports prepared by law enforcement  
143 officers or parties involved in the crash shall be maintained by  
144 the local law enforcement agency.

145       (2)-(4)(a) One or more counties may enter into an agreement

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146 with the appropriate state agency to be certified by the agency  
147 to have a traffic records center for the purpose of tabulating  
148 and analyzing countywide traffic crash reports. The agreement  
149 must include: certification by the agency that the center has  
150 adequate auditing and monitoring mechanisms in place to ensure  
151 the quality and accuracy of the data; the time period in which  
152 the traffic records center must report crash data to the agency;  
153 and the medium in which the traffic records must be submitted to  
154 the agency.

155 (b) In the case of a county or multicounty area that has a  
156 certified central traffic records center, a law enforcement  
157 agency or driver must submit to the center within the time limit  
158 prescribed in this section a written report of the crash. A  
159 driver who is required to file a crash report must be notified  
160 of the proper place to submit the completed report.

161 (c) Fees for copies of public records provided by a  
162 certified traffic records center shall be charged and collected  
163 as follows:

164  
165 For a crash report.....\$10 per copy.

166 For a homicide report.....\$25 per copy.

167 For a uniform traffic citation.....\$0.50 per copy.

168 The fees collected for copies of the public records provided by  
169 a certified traffic records center shall be used to fund the  
170 center or otherwise as designated by the county or counties  
171 participating in the center.

172 (3)-(5)(a) Crash reports that reveal the identity, home or  
173 employment telephone number or home or employment address of, or  
174 other personal information concerning the parties involved in

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175 the crash and that are held by any agency that regularly  
176 receives or prepares information from or concerning the parties  
177 to motor vehicle crashes are confidential and exempt from s.  
178 119.07(1) and s. 24(a), Art. I of the State Constitution for a  
179 period of 60 days after the date the report is filed.

180 (b) Crash reports held by an agency under paragraph (a) may  
181 be made immediately available to the parties involved in the  
182 crash, their legal representatives, their licensed insurance  
183 agents, their insurers or insurers to which they have applied  
184 for coverage, persons under contract with such insurers to  
185 provide claims or underwriting information, prosecutorial  
186 authorities, victim services programs, radio and television  
187 stations licensed by the Federal Communications Commission,  
188 newspapers qualified to publish legal notices under ss. 50.011  
189 and 50.031, and free newspapers of general circulation,  
190 published once a week or more often, available and of interest  
191 to the public generally for the dissemination of news. For the  
192 purposes of this section, the following products or publications  
193 are not newspapers as referred to in this section: those  
194 intended primarily for members of a particular profession or  
195 occupational group; those with the primary purpose of  
196 distributing advertising; and those with the primary purpose of  
197 publishing names and other personal identifying information  
198 concerning parties to motor vehicle crashes.

199 (c) Any local, state, or federal agency that is authorized  
200 to have access to crash reports by any provision of law shall be  
201 granted such access in the furtherance of the agency's statutory  
202 duties.

203 (d) As a condition precedent to accessing a crash report

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within 60 days after the date the report is filed, a person must present a valid driver's license or other photographic identification, proof of status, or identification that demonstrates his or her qualifications to access that information, and file a written sworn statement with the state or local agency in possession of the information stating that information from a crash report made confidential and exempt by this section will not be used for any commercial solicitation of accident victims, or knowingly disclosed to any third party for the purpose of such solicitation, during the period of time that the information remains confidential and exempt. In lieu of requiring the written sworn statement, an agency may provide crash reports by electronic means to third-party vendors under contract with one or more insurers, but only when such contract states that information from a crash report made confidential and exempt by this section will not be used for any commercial solicitation of accident victims by the vendors, or knowingly disclosed by the vendors to any third party for the purpose of such solicitation, during the period of time that the information remains confidential and exempt, and only when a copy of such contract is furnished to the agency as proof of the vendor's claimed status.

(e) This subsection does not prevent the dissemination or publication of news to the general public by any legitimate media entitled to access confidential and exempt information pursuant to this section.

(4)-(6)(a) Any driver failing to file the written report required under paragraph (1) (d) ~~subsection (1) or subsection (2)~~ commits a noncriminal traffic infraction, punishable as a

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233 nonmoving violation as provided in chapter 318.

234 (b) Any employee of a state or local agency in possession  
235 of information made confidential and exempt by this section who  
236 knowingly discloses such confidential and exempt information to  
237 a person not entitled to access such information under this  
238 section commits is guilty of a felony of the third degree,  
239 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

240 (c) Any person, knowing that he or she is not entitled to  
241 obtain information made confidential and exempt by this section,  
242 who obtains or attempts to obtain such information commits is  
243 guilty of a felony of the third degree, punishable as provided  
244 in s. 775.082, s. 775.083, or s. 775.084.

245 (d) Any person who knowingly uses confidential and exempt  
246 information in violation of a filed written sworn statement or  
247 contractual agreement required by this section commits a felony  
248 of the third degree, punishable as provided in s. 775.082, s.  
249 775.083, or s. 775.084.

250 (5)-(7) Except as specified in this subsection, each crash  
251 report made by a person involved in a crash and any statement  
252 made by such person to a law enforcement officer for the purpose  
253 of completing a crash report required by this section shall be  
254 without prejudice to the individual so reporting. ~~No~~ Such a  
255 report or statement may not ~~shall~~ be used as evidence in any  
256 trial, civil or criminal. However, subject to the applicable  
257 rules of evidence, a law enforcement officer at a criminal trial  
258 may testify as to any statement made to the officer by the  
259 person involved in the crash if that person's privilege against  
260 self-incrimination is not violated. The results of breath,  
261 urine, and blood tests administered as provided in s. 316.1932

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262 or s. 316.1933 are not confidential and are shall be admissible  
263 into evidence in accordance with ~~the provisions of~~ s.  
264 316.1934(2). Crash reports made by persons involved in crashes  
265 shall not be used for commercial solicitation purposes; however,  
266 the use of a crash report for purposes of publication in a  
267 newspaper or other news periodical or a radio or television  
268 broadcast shall not be construed as "commercial purpose."

269       (6)-(8) A law enforcement officer, as defined in s.  
270 943.10(1), may enforce this section.

271       Section 2. Subsection (3) of section 320.05, Florida  
272 Statutes, is amended to read:

273       320.05 Records of the department; inspection procedure;  
274 lists and searches; fees.—

275       (3) (a) The department may is authorized, upon application  
276 of any person and payment of the proper fees, ~~to~~ prepare and  
277 furnish lists containing motor vehicle or vessel information in  
278 such form as the department may authorize, ~~to~~ search the records  
279 of the department and make reports thereof, and ~~to~~ make  
280 photographic copies of the department records and attestations  
281 thereof.

282       (b) Fees ~~therefor~~ shall be charged and collected as  
283 follows:

284       1. For providing lists of motor vehicle or vessel records  
285 for the entire state, or any part or parts thereof, divided  
286 according to counties, a sum computed at a rate of not less than  
287 1 cent nor more than 5 cents per item.

288       2. For providing noncertified photographic copies of motor  
289 vehicle or vessel documents, \$1 per page.

290       3. For providing noncertified photographic copies of

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291 micrographic records, \$1 per page.

292       4. For providing certified copies of motor vehicle or  
293 vessel records, \$3 per record.

294       5. For providing noncertified computer-generated printouts  
295 of motor vehicle or vessel records, 50 cents per record.

296       6. For providing certified computer-generated printouts of  
297 motor vehicle or vessel records, \$3 per record.

298       7. For providing electronic access to motor vehicle,  
299 vessel, and mobile home registration data requested by tag,  
300 vehicle identification number, title number, or decal number, 50  
301 cents per item.

302       8. For providing electronic access to driver's license  
303 status report by name, sex, and date of birth or by driver  
304 license number, 50 cents per item.

305       9. For providing lists of licensed mobile home dealers and  
306 manufacturers and recreational vehicle dealers and  
307 manufacturers, \$15 per list.

308       10. For providing lists of licensed motor vehicle dealers,  
309 \$25 per list.

310       11. For each copy of a videotape record, \$15 per tape.

311       12. For each copy of the Division of Motor Vehicles  
312 Procedures Manual, \$25.

313           (c) Fees collected pursuant to paragraph (b) shall be  
314 deposited into the Highway Safety Operating Trust Fund.

315           (d) The department shall furnish such information without  
316 charge to any court or governmental entity.

317           (e) When motor vehicle, vessel, or mobile home registration  
318 data is provided by electronic access through a tax collector's  
319 office, the applicable fee as provided in paragraph (b) must be

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320 ~~collected and deposited pursuant to paragraph (c) a fee for the~~  
321 ~~electronic access is not required to be assessed. However, at~~  
322 ~~the tax collector's discretion, a fee equal to or less than the~~  
323 ~~fee charged by the department for such information may be~~  
324 ~~assessed by the tax collector for the electronic access.~~  
325 ~~Notwithstanding paragraph (c), any funds collected by the tax~~  
326 ~~collector as a result of providing such access shall be retained~~  
327 ~~by the tax collector.~~

328       Section 3. Section 321.25, Florida Statutes, is amended to  
329 read:

330       321.25 Training provided at patrol schools.—The Department  
331 of Highway Safety and Motor Vehicles ~~may is authorized to~~  
332 provide for the training of law enforcement officials and  
333 individuals in matters relating to the duties, functions, and  
334 powers of the Florida Highway Patrol in the schools established  
335 by the department for the training of highway patrol candidates  
336 and officers. The Department of Highway Safety and Motor  
337 Vehicles ~~may is authorized to~~ charge a fee for providing the  
338 training authorized by this section. The fee shall be charged to  
339 persons attending the training. The fee shall be based on the  
340 Department of Highway Safety and Motor Vehicles' recruiting  
341 costs and a portion of the costs for providing the training.~~—~~  
342 ~~The and such~~ costs may include, but are not limited to, tuition,  
343 lodging, and meals. Revenues from the fees shall be used to  
344 offset the Department of Highway Safety and Motor Vehicles'  
345 costs for providing the training. The cost of training local  
346 enforcement officers shall be paid for by their respective  
347 offices, counties or municipalities, as the case may be. Such  
348 cost shall be deemed a proper county or municipal expense or a

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349 proper expenditure of the office of sheriff.

350       Section 4. Subsection (1) of section 322.02, Florida  
351 Statutes, is amended to read:

352       322.02 Legislative intent; administration.—

353       (1) The Legislature finds that over the past several years  
354 the department and individual county tax collectors have entered  
355 into contracts for the delivery of full and limited driver  
356 license services where such contractual relationships best  
357 served the public interest through state administration and  
358 enforcement and local government implementation. It is the  
359 intent of the Legislature to complete the transition of all  
360 driver license issuance services to those tax collectors who are  
361 constitutional officers in this state no later than June 30,  
362 2015. The transition of services to charter-appointed county tax  
363 collectors may occur on a limited basis as directed by the  
364 department that future interests and processes for developing  
365 and expanding the department's relationship with tax collectors  
366 through contractual relationships for the delivery of driver  
367 license services be achieved through the provisions of this  
368 chapter, thereby serving best the public interest considering  
369 accountability, cost-effectiveness, efficiency, responsiveness,  
370 and high-quality service to the drivers in Florida.

371       Section 5. Section 322.135, Florida Statutes, is amended to  
372 read:

373       322.135 Driver's license agents.—

374       (1) The department shall ~~may~~, upon application, authorize  
375 any or all of the tax collectors in the several counties of the  
376 state, subject to the requirements of law, in accordance with  
377 rules of the department, to serve as its agent for the provision

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378 of specified driver's license services.

379       (a) These services shall be limited to the issuance of  
380 driver's licenses and identification cards as authorized by this  
381 chapter.

382       (b) Each tax collector who is authorized by the department  
383 to provide driver's license services shall bear all costs  
384 associated with providing those services.

385       (c) A service fee of \$6.25 shall be charged, in addition to  
386 the fees set forth in this chapter, for providing all services  
387 pursuant to this chapter. The service fee may not be charged:

388           1. More than once per customer during a single visit to a  
389 tax collector's office.

390           2. For a reexamination requested by the Medical Advisory  
391 Board or required pursuant to s. 322.221.

392           3. For a voter registration transaction.

393           4. ~~For changes in an organ donation registration.~~

394           4.5. In violation of any federal or state law.

395       (2) Each tax collector is required to give a good and  
396 sufficient surety bond, payable to the department, conditioned  
397 upon his or her faithfully and truly performing the duties  
398 imposed upon him or her according to the requirements of law and  
399 the rules of the department and upon his or her accounting for  
400 all materials, records, and other property and money that come  
401 into his or her possession or control by reason of performing  
402 these duties.

403       (a) The amount of the bond must be determined by the  
404 department as an amount not less than 10 percent above the  
405 average of the daily deposits of each tax collector.

406       (b) If a tax collector is also an agent of the department

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407 for purposes of s. 320.03, the amount of the bond must be at  
408 least 10 percent above the average of the total daily deposits  
409 of all funds received by the tax collector on behalf of the  
410 department.

411 (c) Notwithstanding the provisions of s. 320.03, only one  
412 bond is required in order for a tax collector to serve as an  
413 agent of the department under chapters 320 and 322.

414 (3) Each tax collector shall keep a full and complete  
415 record of all materials, records, and other properties received  
416 by him or her from the department, or from any other source, and  
417 shall make prompt remittance of moneys collected by him or her  
418 at such times and in such manner as prescribed by law, in  
419 accordance with departmental rules.

420 (4) A tax collector may not issue or renew a driver's  
421 license if he or she has any reason to believe that the licensee  
422 or prospective licensee is physically or mentally unqualified to  
423 operate a motor vehicle. The tax collector may direct any such  
424 licensee to the department for examination or reexamination  
425 under s. 322.221.

426 (5) The department, in conjunction with the Tax Collectors'  
427 Association, shall develop a plan to provide for the transition  
428 of all driver's license issuance services to the county tax  
429 collectors who are constitutional officers. The transition plan  
430 shall be submitted to the President of the Senate and the  
431 Speaker of the House of Representatives by February 1, 2011. The  
432 transition plan must include a timeline to complete the full  
433 transition of all driver's license issuance services no later  
434 than June 30, 2015, and may include, but need not be limited to,  
435 recommendations on the use of regional service centers,

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436 interlocal agreements, and equipment. The county tax collector  
437 at his or her option may apply to the department for approval by  
438 the executive director to be the exclusive agent of the  
439 department for his or her county to administer driver license  
440 services as provided and authorized in this chapter.

441 ~~(a) The application by the county tax collector shall be in~~  
442 ~~writing to the executive director of the department. The~~  
443 ~~application must be submitted by September 1 to be effective for~~  
444 ~~the state's subsequent fiscal year beginning July 1.~~

445 ~~(b) The department shall provide a form for such~~  
446 ~~application, which shall include the following information:~~

447 ~~1. Locations within the county where offices and branch~~  
448 ~~offices for driver license services are proposed.~~

449 ~~2. The designation by the tax collector of the driver~~  
450 ~~license functions to be performed by the tax collector in the~~  
451 ~~county.~~

452 ~~3. Any anticipated capital acquisition or construction~~  
453 ~~costs.~~

454 ~~4. A projection of equipment available or to be provided by~~  
455 ~~the department.~~

456 ~~5. All anticipated operating costs, including facilities,~~  
457 ~~equipment, and personnel to administer driver license services.~~

458 ~~(e) The department shall review applications on or before~~  
459 ~~September 1 of each year. The department shall compare the costs~~  
460 ~~included in the information submitted in the application with~~  
461 ~~the related costs incurred by the department to accomplish the~~  
462 ~~same level of services. The department shall approve or deny an~~  
463 ~~application within 60 calendar days after the application is~~  
464 ~~received unless the department and the applicant agree mutually~~

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465 to a specific alternative date.

466 (d) The department may provide technical assistance to an  
467 applicant upon request.

468 (6) Administration of driver license services by a county  
469 tax collector as the exclusive agent of the department must be  
470 revenue neutral with no adverse state fiscal impact and with no  
471 adverse unfunded mandate to the tax collector.

472 (7) Upon approval by the department for a tax collector to  
473 provide exclusive driver license services in a county, the  
474 department and the applicable tax collector shall develop a  
475 transition plan for the orderly transfer of service  
476 responsibilities to the tax collector. This plan shall include,  
477 but is not limited to:

478 (a) The specifics of any possible use of any state-owned or  
479 leased facilities giving consideration to lease expiration date,  
480 cancellation provisions, and possibilities for sublease of such  
481 facilities.

482 (b) Consideration of staffing needs of the tax collector,  
483 either the assumption by the collector or departmental  
484 relocation of employees adversely affected.

485 (c) The execution of a standard agreement between the  
486 department and the tax collector for providing driver license  
487 services.

488 (8) The county tax collector, as the exclusive agent of the  
489 Department of Highway Safety and Motor Vehicles, shall be paid  
490 fees for driver license services.

491 (6)-(9) Notwithstanding chapter 116, each county officer  
492 within this state who is authorized to collect funds provided  
493 for in this chapter shall pay all sums officially received by

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494 the officer into the State Treasury no later than 5 working days  
495 after the close of the business day in which the officer  
496 received the funds. Payment by county officers to the state  
497 shall be made by means of electronic funds transfers.

498 Section 6. Subsections (10) and (11) of section 322.20,  
499 Florida Statutes, are amended to read:

500 322.20 Records of the department; fees; destruction of  
501 records.—

502 (10) The Division of Driver Licenses ~~may is authorized~~,  
503 upon application of any person and payment of the proper fees,  
504 ~~to~~ search and ~~to~~ assist such person in the search of the records  
505 of the department and make reports thereof and ~~to~~ make  
506 photographic copies of the departmental records and attestations  
507 thereof.

508 (11) (a) The department may charge the following fees for  
509 the following services and documents:

510 1. For providing a transcript of any one individual's  
511 driver history record or any portion thereof for the past 3  
512 years ~~or for searching for such record when no record is found~~  
513 ~~on file~~.....\$8

514 2. For providing a transcript of any one individual's  
515 driver history record or any portion thereof for the past 7  
516 years ~~or for searching for such record when no record is found~~  
517 ~~on file~~.....\$10

518 3. For providing a certified copy of a transcript of the  
519 driver history record or any portion thereof for any one  
520 individual.....\$10

521 4. For providing a certified photographic copy of a  
522 document, per page.....\$1

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523        5. For providing an exemplified record.....\$15  
524        6. For providing photocopies of documents, papers, letters,  
525        clearances, or license or insurance status reports, per  
526        page.....\$0.50

527        7. For assisting persons in searching any one individual's  
528        driver record at a terminal located at the department's general  
529        headquarters in Tallahassee.....\$2

530        8. For searching for any one individual's driver history  
531        record when no record is found on file.....\$1

532        9. For electronically searching for any one individual's  
533        driver history record to determine if the record meets requested  
534        criteria.....\$0.10

535        (b) The department shall furnish such information without  
536        charge to any local, state, or federal law enforcement agency or  
537        court upon proof satisfactory to the department as to the  
538        purpose of the investigation.

539        (c) Any tax collectors authorized under s. 322.135, and any  
540        county clerk of court, may provide 3-year, 7-year, or complete  
541        driver records to any person requesting such records upon  
542        appropriate payment. In addition, any clerk of court and tax  
543        collector may assess the fee listed in s. 322.135(1)(c) for this  
544        service. The applicable record fees listed in paragraph (a) must  
545        be remitted to the department no later than 5 days after payment  
546        is received unless a shorter remittance period is required by  
547        law.

548        Section 7. Subsection (2) of section 322.2615, Florida  
549        Statutes, is amended to read:

550        322.2615 Suspension of license; right to review.—

551        (2) Except as provided in paragraph (1)(a), the law

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enforcement officer shall forward to the department, within 5 days after issuing the notice of suspension, the driver's license; an affidavit stating the officer's grounds for belief that the person was driving or in actual physical control of a motor vehicle while under the influence of alcoholic beverages or chemical or controlled substances; the results of any breath or blood test or an affidavit stating that a breath, blood, or urine test was requested by a law enforcement officer or correctional officer and that the person refused to submit; the officer's description of the person's field sobriety test, if any; the notice of suspension; and a copy of the crash report, if any. The failure of the officer to submit materials within the 5-day period specified in this subsection and in subsection (1) does not affect the department's ability to consider any evidence submitted at or prior to the hearing. The officer may also submit a copy of a videotape of the field sobriety test or the attempt to administer such test. Materials submitted to the department by a law enforcement agency or correctional agency shall be considered self-authenticating and shall be in the record for consideration by the hearing officer. Notwithstanding s. 316.066(5) ~~s. 316.066(7)~~, the crash report shall be considered by the hearing officer.

Section 8. Paragraph (a) of subsection (1) of section 324.051, Florida Statutes, is amended to read:

324.051 Reports of crashes; suspensions of licenses and registrations.—

(1) (a) Every law enforcement officer who, in the regular course of duty either at the time of and at the scene of the crash or thereafter by interviewing participants or witnesses,

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investigates a motor vehicle crash which he or she is required to report pursuant to s. 316.066(1) ~~s. 316.066(3)~~ shall forward a written report of the crash to the department within 10 days of completing the investigation. However, when the investigation of a crash will take more than 10 days to complete, a preliminary copy of the crash report shall be forwarded to the department within 10 days of the occurrence of the crash, to be followed by a final report within 10 days after completion of the investigation. The report shall be on a form and contain information consistent with the requirements of s. 316.068.

Section 9. Paragraph (c) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(c) LEVEL 3

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066 <u>(4)</u> <del>(6)</del> (b)- (d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle

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with siren and lights activated.

601 319.30(4) 3rd Possession by junkyard of motor vehicle with identification number plate removed.

602 319.33(1)(a) 3rd Alter or forge any certificate of title to a motor vehicle or mobile home.

603 319.33(1)(c) 3rd Procure or pass title on stolen vehicle.

604 319.33(4) 3rd With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.

605 327.35(2)(b) 3rd Felony BUI.

606 328.05(2) 3rd Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.

607 328.07(4) 3rd Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.

608 376.302(5) 3rd Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.

609 379.2431(1)(e)5. 3rd Taking, disturbing, mutilating,

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destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.

610

379.2431(1)(e)6. 3rd

Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.

611

400.9935(4) 3rd

Operating a clinic without a license or filing false license application or other required information.

612

440.1051(3) 3rd

False report of workers' compensation fraud or retaliation for making such a report.

613

501.001(2)(b) 2nd

Tampers with a consumer product or the container using materially false/misleading information.

614

624.401(4)(a) 3rd

Transacting insurance without a certificate of authority.

615

624.401(4)(b)1. 3rd

Transacting insurance without a certificate of authority; premium collected less than \$20,000.

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616	626.902(1) (a)	3rd	Representing an unauthorized insurer. & (b)
617	697.08	3rd	Equity skimming.
618	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
619	796.05(1)	3rd	Live on earnings of a prostitute.
620	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.
621	806.10(2)	3rd	Interferes with or assaults firefighter in performance of duty.
622	810.09(2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
623	812.014(2) (c)2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
624	812.0145(2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
625			

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626	815.04(4) (b)	2nd	Computer offense devised to defraud or obtain property.
627	817.034(4) (a)3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
628	817.233	3rd	Burning to defraud insurer.
629	817.234(8) (b) - (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
630	817.234(11) (a)	3rd	Insurance fraud; property value less than \$20,000.
631	817.236	3rd	Filing a false motor vehicle insurance application.
632	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
633	817.413(2)	3rd	Sale of used goods as new.
634	817.505(4)	3rd	Patient brokering.
	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.

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635	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
636	831.29	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
637	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
638	843.19	3rd	Injure, disable, or kill police dog or horse.
639	860.15(3)	3rd	Overcharging for repairs and parts.
640	870.01(2)	3rd	Riot; inciting or encouraging.
641	893.13(1)(a)2.	3rd	Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).
642	893.13(1)(d)2.	2nd	Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs

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within 1,000 feet of university.

643

893.13(1) (f)2. 2nd Sell, manufacture, or deliver s.  
893.03(1) (c), (2) (c)1., (2) (c)2.,  
(2) (c)3., (2) (c)5., (2) (c)6., (2) (c)7.,  
(2) (c)8., (2) (c)9., (3), or (4) drugs  
within 1,000 feet of public housing  
facility.

644

893.13(6) (a) 3rd Possession of any controlled substance  
other than felony possession of  
cannabis.

645

893.13(7) (a)8. 3rd Withhold information from practitioner  
regarding previous receipt of or  
prescription for a controlled substance.

646

893.13(7) (a)9. 3rd Obtain or attempt to obtain controlled  
substance by fraud, forgery,  
misrepresentation, etc.

647

893.13(7) (a)10. 3rd Affix false or forged label to package  
of controlled substance.

648

893.13(7) (a)11. 3rd Furnish false or fraudulent material  
information on any document or record  
required by chapter 893.

649

893.13(8) (a)1. 3rd Knowingly assist a patient, other

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person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

650

893.13(8)(a)2. 3rd Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

651

893.13(8)(a)3. 3rd Knowingly write a prescription for a controlled substance for a fictitious person.

652

893.13(8)(a)4. 3rd Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

653

918.13(1)(a) 3rd Alter, destroy, or conceal investigation evidence.

654

944.47(1)(a)1.- 3rd Introduce contraband to correctional facility.  
2.

655

944.47(1)(c) 2nd Possess contraband while upon the

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grounds of a correctional institution.

656

985.721        3rd        Escapes from a juvenile facility (secure  
detention or residential commitment  
facility).

657

658        Section 10. This act shall take effect July 1, 2010.