



380058

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/19/2010	.	
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The Committee on Health Regulation (Altman) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Section 322.126, Florida Statutes, is amended to read:

322.126 Report of disability to department; content; use.-

(1) For the purpose of the reports authorized by this section, the Department of Highway Safety and Motor Vehicles, assisted by the Medical Advisory Board, shall:

(a) Define mental or physical disabilities affecting the ability of a person to safely operate a motor vehicle.



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13 (b) Develop and keep current coded restrictions to be  
14 placed upon drivers' licenses of persons who are required to  
15 wear medical identification bracelets when operating a motor  
16 vehicle.

17 (2) Any physician, person, or agency having knowledge of  
18 any licensed driver's or applicant's mental or physical  
19 disability to drive or need to obtain or to wear a medical  
20 identification bracelet must ~~is authorized to~~ report such  
21 knowledge to the Department of Highway Safety and Motor  
22 Vehicles. The report should be made in writing giving the full  
23 name, date of birth, address, and a description of the alleged  
24 disability of any person over 15 years of age having mental or  
25 physical disorders that could affect his or her driving ability.

26 (3) The reports authorized by this section are ~~shall be~~  
27 confidential and exempt from ~~the provisions of~~ s. 119.07(1) and  
28 shall be used solely for the purpose of determining the  
29 qualifications of any person to operate a motor vehicle on the  
30 highways of this state.

31 (b) An administrative, ~~no~~ civil, or criminal action may not  
32 be brought against any physician, person, or agency who provides  
33 the information required by subsection (2) herein.

34 (4) A ~~no~~ report forwarded under the provisions of this  
35 section may not ~~shall~~ be used as evidence in any civil or  
36 criminal trial or in any court proceeding.

37 Section 2. This act shall take effect July 1, 2010.

38  
39 ===== T I T L E A M E N D M E N T =====

40 And the title is amended as follows:

41 Delete everything before the enacting clause



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42 and insert:

43                   A bill to be entitled  
44           An act relating to disorders affecting a person's  
45           ability to operate a motor vehicle; amending s.  
46           322.126, F.S.; requiring a physician or a person  
47           having knowledge of a licensed driver's or applicant's  
48           mental or physical disability to drive or need to wear  
49           a medical identification bracelet to report such  
50           knowledge to the Department of Highway Safety and  
51           Motor Vehicles; providing that a physician or a person  
52           who reports a licensed driver's or applicant's mental  
53           or physical disability to drive or need to wear a  
54           medical identification bracelet is not  
55           administratively, civilly, or criminally liable for  
56           making such report; providing an effective date.