

Amendment No.

CHAMBER ACTION

Senate

House

.

1 The Conference Committee on HB 5501 offered the following:

2
3 **Conference Committee Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5
6 Section 1. If House Bill 325 or Senate Bill 2166, 2010
7 Regular Session, is adopted in the same legislative session or
8 an extension thereof and becomes law, subsection (7) is added to
9 section 316.008, Florida Statutes, to read:

10 316.008 Powers of local authorities.-

11 (7) (a) A county or municipality may use traffic infraction
12 detectors to enforce s. 316.074(1) or s. 316.075(1)(c)1. when a
13 driver fails to stop at a traffic signal on streets and highways
14 under its jurisdiction under s. 316.0083. Only a municipality
15 may install or authorize the installation of any such detectors
16 within the incorporated area of the municipality. Only a county

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17 may install or authorize the installation of any such detectors
18 within the unincorporated area of the county.

19 (b) Pursuant to paragraph (a), a municipality may install
20 or, by contract or interlocal agreement, authorize the
21 installation of any such detectors only within the incorporated
22 area of the municipality, and a county may install or, by
23 contract or interlocal agreement, authorize the installation of
24 any such detectors only within the unincorporated area of the
25 county. A county may authorize installation of any such
26 detectors by interlocal agreement on roads under its
27 jurisdiction.

28 (c) Pursuant to s. 316.0083, a county or municipality may
29 use traffic infraction detectors to enforce a s. 316.074(1) or
30 s. 316.075(1)(c)1. when a driver fails to stop at a traffic
31 signal on state roads under the original jurisdiction of the
32 Department of Transportation when permitted by the Department of
33 Transportation.

34 Section 2. Section 316.066, Florida Statutes, is amended
35 to read:

36 316.066 Written reports of crashes.-

37 ~~(1) The driver of a vehicle which is in any manner~~
38 ~~involved in a crash resulting in bodily injury to or death of~~
39 ~~any person or damage to any vehicle or other property in an~~
40 ~~apparent amount of at least \$500 shall, within 10 days after the~~
41 ~~crash, forward a written report of such crash to the department~~
42 ~~or traffic records center. However, when the investigating~~
43 ~~officer has made a written report of the crash pursuant to~~

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44 ~~subsection (3), no written report need be forwarded to the~~
45 ~~department or traffic records center by the driver.~~

46 ~~(2) The receiving entity may require any driver of a~~
47 ~~vehicle involved in a crash of which a written report must be~~
48 ~~made as provided in this section to file supplemental written~~
49 ~~reports whenever the original report is insufficient in the~~
50 ~~opinion of the department and may require witnesses of crashes~~
51 ~~to render reports to the department.~~

52 (1)(3)(a) A Florida Traffic Crash Report, Long Form is
53 required to be completed and submitted to the department within
54 10 days after completing an investigation by every law
55 enforcement officer who in the regular course of duty
56 investigates a motor vehicle crash:

57 1. That ~~Which crash~~ resulted in death or personal injury
58 ~~shall, within 10 days after completing the investigation,~~
59 ~~forward a written report of the crash to the department or~~
60 ~~traffic records center.~~

61 2. That ~~Which crash~~ involved a violation of s. 316.061(1)
62 or s. 316.193 ~~shall, within 10 days after completing the~~
63 ~~investigation, forward a written report of the crash to the~~
64 ~~department or traffic records center.~~

65 3. In which ~~crash~~ a vehicle was rendered inoperative to a
66 degree that ~~which~~ required a wrecker to remove it from traffic
67 ~~may, within 10 days after completing the investigation, forward~~
68 ~~a written report of the crash to the department or traffic~~
69 ~~records center if such action is appropriate, in the officer's~~
70 ~~discretion.~~

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71 (b) In every crash for ~~ease in~~ which a Florida Traffic
72 Crash Report, Long Form is not required by this section ~~and a~~
73 ~~written report to a law enforcement officer is not prepared,~~ the
74 law enforcement officer may complete a short-form crash report
75 or provide a short-form crash report to be completed by ~~shall~~
76 ~~provide each party involved in the crash a short-form report,~~
77 ~~prescribed by the state, to be completed by the party.~~ The
78 short-form report must include:

- 79 1. The date, time, and location of the crash.†
- 80 2. A description of the vehicles involved.†
- 81 3. The names and addresses of the parties involved.†
- 82 4. The names and addresses of witnesses.†
- 83 5. The name, badge number, and law enforcement agency of
84 the officer investigating the crash.†~~and~~
- 85 6. The names of the insurance companies for the respective
86 parties involved in the crash.

87 (c) Each party to the crash shall provide the law
88 enforcement officer with proof of insurance to be included in
89 the crash report. If a law enforcement officer submits a report
90 on the accident, proof of insurance must be provided to the
91 officer by each party involved in the crash. Any party who fails
92 to provide the required information commits a noncriminal
93 traffic is guilty of an infraction, punishable as for a
94 nonmoving violation,~~punishable~~ as provided in chapter 318,
95 unless the officer determines that due to injuries or other
96 special circumstances such insurance information cannot be
97 provided immediately. If the person provides the law enforcement
98 agency, within 24 hours after the crash, proof of insurance that
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99 was valid at the time of the crash, the law enforcement agency
100 may void the citation.

101 (d) The driver of a vehicle that was in any manner
102 involved in a crash resulting in damage to any vehicle or other
103 property in an amount of \$500 or more, which crash was not
104 investigated by a law enforcement agency, shall, within 10 days
105 after the crash, submit a written report of the crash to the
106 department or traffic records center. The entity receiving the
107 report may require witnesses of crashes to render reports and
108 may require any driver of a vehicle involved in a crash of which
109 a written report must be made as provided in this section to
110 file supplemental written reports whenever the original report
111 is deemed insufficient by the receiving entity.

112 (e) Short-form crash reports prepared by law enforcement
113 shall be maintained by the law enforcement officer's agency.

114 (2)-(4)-(a) One or more counties may enter into an agreement
115 with the appropriate state agency to be certified by the agency
116 to have a traffic records center for the purpose of tabulating
117 and analyzing countywide traffic crash reports. The agreement
118 must include: certification by the agency that the center has
119 adequate auditing and monitoring mechanisms in place to ensure
120 the quality and accuracy of the data; the time period in which
121 the traffic records center must report crash data to the agency;
122 and the medium in which the traffic records must be submitted to
123 the agency.

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

130 (c) Fees for copies of public records provided by a
131 certified traffic records center shall be charged and collected
132 as follows:

133

134 For a crash report \$10 per copy.

135 For a homicide report \$25 per copy.

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

137

138 The fees collected for copies of the public records provided by
139 a certified traffic records center shall be used to fund the
140 center or otherwise as designated by the county or counties
141 participating in the center.

142 ~~(3)~~(5)(a) Crash reports that reveal the identity, home or
143 employment telephone number or home or employment address of, or
144 other personal information concerning the parties involved in
145 the crash and that are held by any agency that regularly
146 receives or prepares information from or concerning the parties
147 to motor vehicle crashes are confidential and exempt from s.
148 119.07(1) and s. 24(a), Art. I of the State Constitution for a
149 period of 60 days after the date the report is filed.

150 (b) Crash reports held by an agency under paragraph (a)
151 may be made immediately available to the parties involved in the
152 crash, their legal representatives, their licensed insurance
153 agents, their insurers or insurers to which they have applied
154 for coverage, persons under contract with such insurers to
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155 provide claims or underwriting information, prosecutorial
156 authorities, victim services programs, radio and television
157 stations licensed by the Federal Communications Commission,
158 newspapers qualified to publish legal notices under ss. 50.011
159 and 50.031, and free newspapers of general circulation,
160 published once a week or more often, available and of interest
161 to the public generally for the dissemination of news. For the
162 purposes of this section, the following products or publications
163 are not newspapers as referred to in this section: those
164 intended primarily for members of a particular profession or
165 occupational group; those with the primary purpose of
166 distributing advertising; and those with the primary purpose of
167 publishing names and other personal identifying information
168 concerning parties to motor vehicle crashes.

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

173 (d) As a condition precedent to accessing a crash report
174 within 60 days after the date the report is filed, a person must
175 present a valid driver's license or other photographic
176 identification, proof of status, or identification that
177 demonstrates his or her qualifications to access that
178 information, and file a written sworn statement with the state
179 or local agency in possession of the information stating that
180 information from a crash report made confidential and exempt by
181 this section will not be used for any commercial solicitation of
182 accident victims, or knowingly disclosed to any third party for
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183 the purpose of such solicitation, during the period of time that
184 the information remains confidential and exempt. In lieu of
185 requiring the written sworn statement, an agency may provide
186 crash reports by electronic means to third-party vendors under
187 contract with one or more insurers, but only when such contract
188 states that information from a crash report made confidential
189 and exempt by this section will not be used for any commercial
190 solicitation of accident victims by the vendors, or knowingly
191 disclosed by the vendors to any third party for the purpose of
192 such solicitation, during the period of time that the
193 information remains confidential and exempt, and only when a
194 copy of such contract is furnished to the agency as proof of the
195 vendor's claimed status.

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

200 ~~(4)~~ (a) Any driver failing to file the written report
201 required under subsection (1) or subsection (2) commits a
202 noncriminal traffic infraction, punishable as a nonmoving
203 violation as provided in chapter 318.

204 (b) Any employee of a state or local agency in possession
205 of information made confidential and exempt by this section who
206 knowingly discloses such confidential and exempt information to
207 a person not entitled to access such information under this
208 section is guilty of a felony of the third degree, punishable as
209 provided in s. 775.082, s. 775.083, or s. 775.084.

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

215 (d) Any person who knowingly uses confidential and exempt
216 information in violation of a filed written sworn statement or
217 contractual agreement required by this section commits a felony
218 of the third degree, punishable as provided in s. 775.082, s.
219 775.083, or s. 775.084.

220 (5) ~~(7)~~ Except as specified in this subsection, each crash
221 report made by a person involved in a crash and any statement
222 made by such person to a law enforcement officer for the purpose
223 of completing a crash report required by this section shall be
224 without prejudice to the individual so reporting. No such report
225 or statement shall be used as evidence in any trial, civil or
226 criminal. However, subject to the applicable rules of evidence,
227 a law enforcement officer at a criminal trial may testify as to
228 any statement made to the officer by the person involved in the
229 crash if that person's privilege against self-incrimination is
230 not violated. The results of breath, urine, and blood tests
231 administered as provided in s. 316.1932 or s. 316.1933 are not
232 confidential and shall be admissible into evidence in accordance
233 with the provisions of s. 316.1934(2). Crash reports made by
234 persons involved in crashes shall not be used for commercial
235 solicitation purposes; however, the use of a crash report for
236 purposes of publication in a newspaper or other news periodical

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237 or a radio or television broadcast shall not be construed as
238 "commercial purpose."

239 ~~(6)-(8)~~ A law enforcement officer, as defined in s.
240 943.10(1), may enforce this section.

241 Section 3. Subsections (1) and (5) of section 322.02,
242 Florida Statutes, are amended to read:

243 322.02 Legislative intent; administration.-

244 (1) The Legislature finds that over the past several years
245 the department and individual county tax collectors have entered
246 into contracts for the delivery of full and limited driver
247 license services where such contractual relationships best
248 served the public interest through state administration and
249 enforcement and local government implementation. It is the
250 intent of the Legislature that the complete transition of all
251 driver license issuance services to tax collectors who are
252 constitutional officers under s. 1(d), Art. VIII of the State
253 Constitution be completed no later than June 30, 2015. The
254 transition of services to appointed charter county tax
255 collectors may occur on a limited basis as directed by the
256 department ~~future interests and processes for developing and~~
257 ~~expanding the department's relationship with tax collectors~~
258 ~~through contractual relationships for the delivery of driver~~
259 ~~license services be achieved through the provisions of this~~
260 ~~chapter, thereby serving best the public interest considering~~
261 ~~accountability, cost-effectiveness, efficiency, responsiveness,~~
262 ~~and high quality service to the drivers in Florida.~~

263 (5) The tax collector in and for his or her county may be
264 designated the exclusive agent of the department to implement
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265 and administer the provisions of this chapter as provided by s.
266 322.135(5).

267 Section 4. Section 322.135, Florida Statutes, is amended
268 to read:

269 322.135 Driver's license agents.—

270 (1) The department shall ~~may~~, upon application, authorize
271 any or all of the tax collectors in the several counties of the
272 state, subject to the requirements of law, in accordance with
273 rules of the department, to serve as its agent for the provision
274 of specified driver's license services.

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

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

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

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

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

289 3. For a voter registration transaction.

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

291 ~~4.5.~~ In violation of any federal or state law.

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292 (2) Each tax collector is required to give a good and
293 sufficient surety bond, payable to the department, conditioned
294 upon his or her faithfully and truly performing the duties
295 imposed upon him or her according to the requirements of law and
296 the rules of the department and upon his or her accounting for
297 all materials, records, and other property and money that come
298 into his or her possession or control by reason of performing
299 these duties.

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

303 (b) If a tax collector is also an agent of the department
304 for purposes of s. 320.03, the amount of the bond must be at
305 least 10 percent above the average of the total daily deposits
306 of all funds received by the tax collector on behalf of the
307 department.

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

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

317 (4) A tax collector may not issue or renew a driver's
318 license if he or she has any reason to believe that the licensee
319 or prospective licensee is physically or mentally unqualified to
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320 operate a motor vehicle. The tax collector may direct any such
321 licensee to the department for examination or reexamination
322 under s. 322.221.

323 (5) The department, in conjunction with the Florida Tax
324 Collectors Association and the Florida Association of Counties,
325 shall develop a plan to transition all driver's license issuance
326 services to the county tax collectors who are constitutional
327 officers under s. 1(d), Art. VIII of the State Constitution. The
328 transition plan must be submitted to the President of the Senate
329 and the Speaker of the House of Representatives on or before
330 February 1, 2011. The transition plan must include a timeline to
331 complete the full transition of all driver's license issuance
332 services no later than June 30, 2015, and may include, but is
333 not limited to, recommendations on the use of regional service
334 centers, interlocal agreements, and equipment. ~~The county tax~~
335 collector at his or her option may apply to the department for
336 approval by the executive director to be the exclusive agent of
337 the department for his or her county to administer driver
338 license services as provided and authorized in this chapter.

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

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

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

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347 ~~2. The designation by the tax collector of the driver~~
348 ~~license functions to be performed by the tax collector in the~~
349 ~~county.~~

350 ~~3. Any anticipated capital acquisition or construction~~
351 ~~costs.~~

352 ~~4. A projection of equipment available or to be provided~~
353 ~~by the department.~~

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

356 ~~(c) The department shall review applications on or before~~
357 ~~September 1 of each year. The department shall compare the costs~~
358 ~~included in the information submitted in the application with~~
359 ~~the related costs incurred by the department to accomplish the~~
360 ~~same level of services. The department shall approve or deny an~~
361 ~~application within 60 calendar days after the application is~~
362 ~~received unless the department and the applicant agree mutually~~
363 ~~to a specific alternative date.~~

364 ~~(d) The department may provide technical assistance to an~~
365 ~~applicant upon request.~~

366 ~~(6) Administration of driver license services by a county~~
367 ~~tax collector as the exclusive agent of the department must be~~
368 ~~revenue neutral with no adverse state fiscal impact and with no~~
369 ~~adverse unfunded mandate to the tax collector.~~

370 ~~(7) Upon approval by the department for a tax collector to~~
371 ~~provide exclusive driver license services in a county, the~~
372 ~~department and the applicable tax collector shall develop a~~
373 ~~transition plan for the orderly transfer of service~~

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374 ~~responsibilities to the tax collector. This plan shall include,~~
375 ~~but is not limited to:~~

376 ~~(a) The specifics of any possible use of any state-owned~~
377 ~~or leased facilities giving consideration to lease expiration~~
378 ~~date, cancellation provisions, and possibilities for sublease of~~
379 ~~such facilities.~~

380 ~~(b) Consideration of staffing needs of the tax collector,~~
381 ~~either the assumption by the collector or departmental~~
382 ~~relocation of employees adversely affected.~~

383 ~~(c) The execution of a standard agreement between the~~
384 ~~department and the tax collector for providing driver license~~
385 ~~services.~~

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

389 ~~(6)~~(9) Notwithstanding chapter 116, each county officer
390 within this state who is authorized to collect funds provided
391 for in this chapter shall pay all sums officially received by
392 the officer into the State Treasury no later than 5 working days
393 after the close of the business day in which the officer
394 received the funds. Payment by county officers to the state
395 shall be made by means of electronic funds transfers.

396 Section 5. Subsection (11) of section 322.20, Florida
397 Statutes, is amended to read:

398 322.20 Records of the department; fees; destruction of
399 records.—

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

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

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

410 3. For providing a certified copy of a transcript of the
411 driver history record or any portion thereof for any one
412 individual \$10

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

415 5. For providing an exemplified record \$15

416 6. For providing photocopies of documents, papers,
417 letters, clearances, or license or insurance status reports, per
418 page \$0.50

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

422 8. For searching for any one individual's driver history
423 record when no record is found on file \$2

424 9. For electronically searching for any one individual's
425 driver history record to determine if the record meets requested
426 criteria \$0.01

427 (b) The department shall furnish such information without
428 charge to any local, state, or federal law enforcement agency or

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429 court upon proof satisfactory to the department as to the
430 purpose of the investigation.

431 (c) The clerks of court and tax collectors authorized
432 under s. 322.135, may provide 3-year, 7-year, or complete driver
433 records to any person requesting such records upon payment of
434 the appropriate fees. In addition to the fees authorized under
435 paragraph (a), clerks of court and tax collectors may assess the
436 fee listed in s. 322.135(1)(c) for this service. The applicable
437 record fees listed in paragraph (a) must be remitted to the
438 department no later than 5 days after payment is received,
439 unless a shorter remittance period is required by law.

440 Section 6. Subsection (2) of section 322.2615, Florida
441 Statutes, is amended to read:

442 322.2615 Suspension of license; right to review.—

443 (2) Except as provided in paragraph (1)(a), the law
444 enforcement officer shall forward to the department, within 5
445 days after issuing the notice of suspension, the driver's
446 license; an affidavit stating the officer's grounds for belief
447 that the person was driving or in actual physical control of a
448 motor vehicle while under the influence of alcoholic beverages
449 or chemical or controlled substances; the results of any breath
450 or blood test or an affidavit stating that a breath, blood, or
451 urine test was requested by a law enforcement officer or
452 correctional officer and that the person refused to submit; the
453 officer's description of the person's field sobriety test, if
454 any; the notice of suspension; and a copy of the crash report,
455 if any. The failure of the officer to submit materials within
456 the 5-day period specified in this subsection and in subsection
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457 (1) does not affect the department's ability to consider any
458 evidence submitted at or prior to the hearing. The officer may
459 also submit a copy of a videotape of the field sobriety test or
460 the attempt to administer such test. Materials submitted to the
461 department by a law enforcement agency or correctional agency
462 shall be considered self-authenticating and shall be in the
463 record for consideration by the hearing officer. Notwithstanding
464 s. 316.066(5)~~(7)~~, the crash report shall be considered by the
465 hearing officer.

466 Section 7. Paragraph (a) of subsection (1) of section
467 324.051, Florida Statutes, is amended to read:

468 324.051 Reports of crashes; suspensions of licenses and
469 registrations.-

470 (1) (a) Every law enforcement officer who, in the regular
471 course of duty either at the time of and at the scene of the
472 crash or thereafter by interviewing participants or witnesses,
473 investigates a motor vehicle crash which he or she is required
474 to report pursuant to s. 316.066(1)~~(3)~~ shall forward a written
475 report of the crash to the department within 10 days of
476 completing the investigation. However, when the investigation of
477 a crash will take more than 10 days to complete, a preliminary
478 copy of the crash report shall be forwarded to the department
479 within 10 days after ~~of~~ the occurrence of the crash, to be
480 followed by a final report within 10 days after completion of
481 the investigation. The report shall be on a form and contain
482 information consistent with the requirements of s. 316.068.

483 Section 8. Paragraph (c) of subsection (3) of section
484 921.0022, Florida Statutes, is amended to read:

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485 921.0022 Criminal Punishment Code; offense severity
486 ranking chart.—

487 (3) OFFENSE SEVERITY RANKING CHART

488 (c) LEVEL 3

489

Florida Felony

Statute Degree Description

490

119.10(2)(b) 3rd Unlawful use of confidential
information from police
reports.

491

316.066 ~~(4)~~ (b) - 3rd Unlawfully obtaining or using
(d) confidential crash reports.

492

316.193(2)(b) 3rd Felony DUI, 3rd conviction.

493

316.1935(2) 3rd Fleeing or attempting to elude
law enforcement officer in
patrol vehicle with siren and
lights activated.

494

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

495

319.33(1)(a) 3rd Alter or forge any certificate

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of title to a motor vehicle or
mobile home.

496

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

497

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

498

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

499

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

500

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

501

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

502

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.

503

379.2431(1)(e)6. 3rd Soliciting to commit or
conspiring to commit a
violation of the Marine Turtle
Protection Act.

504

400.9935(4) 3rd Operating a clinic without a
license or filing false license
application or other required
information.

505

440.1051(3) 3rd False report of workers'
compensation fraud or
retaliation for making such a
report.

506

501.001(2)(b) 2nd Tamper with a consumer product
or the container using
materially false/misleading

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information.

507

624.401 (4) (a) 3rd Transacting insurance without a
certificate of authority.

508

624.401 (4) (b) 1. 3rd Transacting insurance without a
certificate of authority;
premium collected less than
\$20,000.

509

626.902 (1) (a) & 3rd Representing an unauthorized
(b) insurer.

510

697.08 3rd Equity skimming.

511

790.15 (3) 3rd Person directs another to
discharge firearm from a
vehicle.

512

796.05 (1) 3rd Live on earnings of a
prostitute.

513

806.10 (1) 3rd Maliciously injure, destroy, or
interfere with vehicles or
equipment used in firefighting.

514

806.10 (2) 3rd Interferes with or assaults

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firefighter in performance of
duty.

515

810.09(2)(c) 3rd Trespass on property other than
structure or conveyance armed
with firearm or dangerous
weapon.

516

812.014(2)(c)2. 3rd Grand theft; \$5,000 or more but
less than \$10,000.

517

812.0145(2)(c) 3rd Theft from person 65 years of
age or older; \$300 or more but
less than \$10,000.

518

815.04(4)(b) 2nd Computer offense devised to
defraud or obtain property.

519

817.034(4)(a)3. 3rd Engages in scheme to defraud
(Florida Communications Fraud
Act), property valued at less
than \$20,000.

520

817.233 3rd Burning to defraud insurer.

521

817.234(8)(b)- 3rd Unlawful solicitation of
(c) persons involved in motor

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vehicle accidents.

522

817.234(11)(a) 3rd Insurance fraud; property value
less than \$20,000.

523

817.236 3rd Filing a false motor vehicle
insurance application.

524

817.2361 3rd Creating, marketing, or
presenting a false or
fraudulent motor vehicle
insurance card.

525

817.413(2) 3rd Sale of used goods as new.

526

817.505(4) 3rd Patient brokering.

527

828.12(2) 3rd Tortures any animal with intent
to inflict intense pain,
serious physical injury, or
death.

528

831.28(2)(a) 3rd Counterfeiting a payment
instrument with intent to
defraud or possessing a
counterfeit payment instrument.

529

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530 831.29 2nd Possession of instruments for
counterfeiting drivers'
licenses or identification
cards.

531 838.021(3)(b) 3rd Threatens unlawful harm to
public servant.

532 843.19 3rd Injure, disable, or kill police
dog or horse.

533 860.15(3) 3rd Overcharging for repairs and
parts.

534 870.01(2) 3rd Riot; inciting or encouraging.

535 893.13(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).

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.,

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(2) (c) 9., (3), or (4) drugs
within 1,000 feet of
university.

536

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.

537

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

538

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

539

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

540

893.13(7)(a)10. 3rd Affix false or forged label to

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package of controlled
substance.

541

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

542

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

543

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.

544

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

545

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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.

546

918.13(1)(a)

3rd

Alter, destroy, or conceal investigation evidence.

547

944.47(1)(a)1.-
2.

3rd

Introduce contraband to correctional facility.

548

944.47(1)(c)

2nd

Possess contraband while upon the grounds of a correctional institution.

549

985.721

3rd

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

550

Section 9. This act shall take effect July 1, 2010.

551

552

553

554

555

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

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556 Remove the entire title and insert:
557 A bill to be entitled
558 An act relating to the Department of Highway Safety and
559 Motor Vehicles; amending s. 316.008, F.S.; authorizing a
560 county or municipality to use traffic infraction detectors
561 to enforce specified provisions when a driver fails to
562 stop at a traffic control device; providing that a county
563 or municipality may install such detectors or authorize
564 installation of such detectors by contract or interlocal
565 agreement; restricting such installation and use by a
566 county to unincorporated areas of the county and
567 installation and use by a municipality to the incorporated
568 area of the municipality; providing for such installation
569 and use on state roads under the jurisdiction of the
570 Department of Transportation; providing for contingent
571 effect; amending s. 316.066, F.S.; revising provisions for
572 motor vehicle crash reports; providing for short-form
573 crash reports to be completed under certain circumstances
574 and maintained by the local law enforcement agency;
575 authorizing law enforcement agencies to request
576 supplemental reports from drivers and written reports from
577 witnesses under certain circumstances; amending s. 322.02,
578 F.S.; revising legislative intent relating to delivery of
579 driver's license services by tax collectors; providing
580 that it is the intent of the Legislature to transition all
581 driver license issuance services from the Department of
582 Highway Safety and Motor Vehicles to tax collectors;
583 conforming a cross-reference; amending s. 322.135, F.S.;

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584 requiring the department to authorize any or all of the
585 tax collectors in the several counties of the state to
586 serve as its agent for the provision of specified driver's
587 license services; removing an exemption from a fee charged
588 by such agents; directing the department, in conjunction
589 with the Florida Tax Collectors Association and the
590 Florida Association of Counties, to develop a plan to
591 transition all driver's license issuance services to
592 county tax collectors; requiring the plan to be submitted
593 to the Legislature; removing procedures for approval of
594 tax collectors as agents upon application by the tax
595 collector; amending s. 322.20, F.S.; providing for county
596 clerks of court and tax collectors to provide 3-year, 7-
597 year, or complete driver records to any person upon
598 collection of specified fees; requiring certain fees
599 collected to be remitted to the department within a
600 certain time period; amending ss. 322.2615, 324.051,
601 921.0022, F.S.; conforming cross-references; providing an
602 effective date.

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