



421972

LEGISLATIVE ACTION

Senate	.	House
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Floor: 2/AD/2R	.	Floor: C
04/30/2010 09:49 AM	.	04/30/2010 04:50 PM
	.	

Senator Crist moved the following:

Senate Amendment (with title amendment)

Delete lines 1130 - 1142
and insert:

(4) (a) The department shall identify any operator convicted of, or who pleaded nolo contendere to, a violation of s. 316.074(1), s. 316.075(1)(c)1., s. 316.172, s. 316.191, or s. 316.192 and shall require that operator, in addition to other applicable penalties, to attend a department-approved driver improvement course in order to maintain driving privileges. The department shall, within 10 days after receiving a notice of judicial disposition, send notice to the operator of the requirement to attend a driver improvement course. If the



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14 operator fails to complete the course within 90 days after
15 receiving notice from the department, the operator's driver
16 license shall be canceled by the department until the course is
17 successfully completed.

18 (b) Any operator who receives a traffic citation for a
19 violation of s. 316.074(1), s. 316.075(1)(c)1., s. 316.191, or
20 s. 316.192, for which the court withholds adjudication, is not
21 required to attend a driver improvement course, unless the court
22 finds that the nature or severity of the violation is such that
23 attendance to a driver improvement course is necessary. The
24 department shall, within 10 days after receiving a notice of
25 judicial disposition, send notice to the operator of the
26 requirement to attend a driver improvement course. If the
27 operator fails to complete the course within 90 days after
28 receiving notice from the department, the operator's driver
29 license shall be canceled by the department until the course is
30 successfully completed.

31 (c) Any operator who receives a traffic citation for a
32 violation of s. 316.172, for which the court withholds
33 adjudication, is required to attend a driver improvement course.
34 The department shall, within 10 days after receiving a notice of
35 judicial disposition, send notice to the operator of the
36 requirement to attend a driver improvement course. If the
37 operator fails to complete the course within 90 days after
38 receiving notice from the department, the operator's driver
39 license shall be canceled by the department until the course is
40 successfully completed.

41 Section 13. Subsection (7) of section 627.7295, Florida
42 Statutes, is amended to read:



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43 627.7295 Motor vehicle insurance contracts.-
44 (7) A policy of private passenger motor vehicle insurance
45 or a binder for such a policy may be initially issued in this
46 state only if the insurer or agent has collected from the
47 insured an amount equal to 2 months' premium. An insurer, agent,
48 or premium finance company may not, directly or indirectly, take
49 any action resulting in the insured having paid from the
50 insured's own funds an amount less than the 2 months' premium
51 required by this subsection. This subsection applies without
52 regard to whether the premium is financed by a premium finance
53 company or is paid pursuant to a periodic payment plan of an
54 insurer or an insurance agent. This subsection does not apply if
55 an insured or member of the insured's family is renewing or
56 replacing a policy or a binder for such policy written by the
57 same insurer or a member of the same insurer group. This
58 subsection does not apply to an insurer that issues private
59 passenger motor vehicle coverage primarily to active duty or
60 former military personnel or their dependents. This subsection
61 does not apply if all policy payments are paid pursuant to a
62 payroll deduction plan or an automatic electronic funds transfer
63 payment plan from the policyholder, provided that the first
64 policy payment is made by cash, cashier's check, check, or a
65 money order. This subsection and subsection (4) do not apply if
66 all policy payments to an insurer are paid pursuant to an
67 automatic electronic funds transfer payment plan from an agent,
68 ~~or~~ a managing general agent, or a premium finance company and if
69 the policy includes, at a minimum, personal injury protection
70 pursuant to ss. 627.730-627.7405; motor vehicle property damage
71 liability pursuant to s. 627.7275; and bodily injury liability



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72 in at least the amount of \$10,000 because of bodily injury to,
73 or death of, one person in any one accident and in the amount of
74 \$20,000 because of bodily injury to, or death of, two or more
75 persons in any one accident. This subsection and subsection (4)
76 do not apply if an insured has had a policy in effect for at
77 least 6 months, the insured's agent is terminated by the insurer
78 that issued the policy, and the insured obtains coverage on the
79 policy's renewal date with a new company through the terminated
80 agent.

81
82 ===== T I T L E A M E N D M E N T =====

83 And the title is amended as follows:

84 Delete lines 104 - 107

85 and insert:

86 been withheld by the court in certain circumstances;
87 requiring the department to send notice of a
88 requirement to attend a driver improvement course
89 within a certain time period after receiving a report
90 of an adjudication; amending s. 627.7295, F.S.;
91 revising application of certain provisions relating to
92 motor vehicle insurance contracts; providing an