

By Senator Altman

24-01060-11

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1                                   A bill to be entitled  
 2       An act relating to driver's licenses; creating the  
 3       "Mature Drivers Act"; amending s. 322.05, F.S.;  
 4       revising age requirements for issuance of driver's  
 5       licenses; amending ss. 322.126 and 322.161, F.S.,  
 6       relating to reporting of licensed driver's or  
 7       applicant's mental or physical disability to drive or  
 8       need to obtain or wear a medical identification  
 9       bracelet and restriction of the driving privilege of a  
 10      person who has accumulated six or more points within a  
 11      12-month period; conforming provisions to changes made  
 12      by the act; amending s. 322.1615, F.S.; revising age  
 13      requirements for issuance of learner's driver's  
 14      licenses; providing an effective date.

15  
 16 Be It Enacted by the Legislature of the State of Florida:

17  
 18       Section 1. This act may be cited as the "Mature Drivers  
 19 Act."

20       Section 2. Subsections (1), (2), and (3) of section 322.05,  
 21 Florida Statutes, are amended to read:

22       322.05 Persons not to be licensed.—The department may not  
 23 issue a license:

24       (1) To a person who has not attained 17 years of age ~~is~~  
 25 ~~under the age of 16 years~~, except that the department may issue  
 26 a learner's driver's license to a person who is at least 16 ~~15~~  
 27 years of age and who meets the requirements of ss. 322.091 and  
 28 322.1615 and of any other applicable law or rule.

29       (2) To a person who is at least 17 ~~16~~ years of age but who

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30 has not attained ~~is under~~ 18 years of age unless the person  
31 meets the requirements of s. 322.091 and holds a valid:

32 (a) Learner's driver's license for at least 12 months, with  
33 no moving traffic convictions, before applying for a license;

34 (b) Learner's driver's license for at least 12 months and  
35 who has a moving traffic conviction but elects to attend a  
36 traffic driving school for which adjudication must be withheld  
37 pursuant to s. 318.14; or

38 (c) License that was issued in another state or in a  
39 foreign jurisdiction and that would not be subject to suspension  
40 or revocation under the laws of this state.

41 (3) To a person who is at least 17 ~~16~~ years of age but who  
42 has not attained ~~is under~~ 18 years of age, unless the parent,  
43 guardian, or other responsible adult meeting the requirements of  
44 s. 322.09 certifies that he or she, or another licensed driver  
45 21 years of age or older, has accompanied the applicant for a  
46 total of not less than 50 hours of ~~hours~~ behind-the-wheel  
47 experience, of which not less than 10 hours must be at night.  
48 This subsection is not intended to create a private cause of  
49 action as a result of the certification. The certification is  
50 inadmissible for any purpose in any civil proceeding.

51 Section 3. Subsection (2) of section 322.126, Florida  
52 Statutes, is amended to read:

53 322.126 Report of disability to department; content; use.-

54 (2) Any physician, person, or agency having knowledge of  
55 any licensed driver's or applicant's mental or physical  
56 disability to drive or need to obtain or to wear a medical  
57 identification bracelet is authorized to report such knowledge  
58 to the Department of Highway Safety and Motor Vehicles. The

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59 report should be made in writing giving the full name, date of  
60 birth, address, and a description of the alleged disability of  
61 any person who is 16 ~~ever 15~~ years of age or older having mental  
62 or physical disorders that could affect his or her driving  
63 ability.

64 Section 4. Subsection (1) of section 322.161, Florida  
65 Statutes, is amended to read:

66 322.161 High-risk drivers; restricted licenses.-

67 (1) (a) Notwithstanding any provision of law to the  
68 contrary, the department shall restrict the driving privilege of  
69 any Class E licensee who has not attained 18 years of age ~~is age~~  
70 ~~15 through 17~~ and who has accumulated six or more points  
71 pursuant to s. 318.14, excluding parking violations, within a  
72 12-month period.

73 (b) Upon determination that any person has accumulated six  
74 or more points, the department shall notify the licensee and  
75 issue the licensee a restricted license for business purposes  
76 only. The licensee must appear before the department within 10  
77 days after notification to have this restriction applied. The  
78 period of restriction shall be for a period of no less than 1  
79 year beginning on the date it is applied by the department.

80 (c) The restriction shall be automatically withdrawn by the  
81 department after 1 year if the licensee does not accumulate any  
82 additional points. If the licensee accumulates any additional  
83 points, then the period of restriction shall be extended 90 days  
84 for each point. The restriction shall also be automatically  
85 withdrawn upon the licensee's 18th birthday if no other grounds  
86 for restriction exist. The licensee must appear before the  
87 department to have the restriction removed and a duplicate

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88 license issued.

89 Section 5. Subsection (1) of section 322.1615, Florida  
90 Statutes, is amended to read:

91 322.1615 Learner's driver's license.—

92 (1) The department may issue a learner's driver's license  
93 to a person who is at least 16 ~~15~~ years of age and who:

94 (a) Has passed the written examination for a learner's  
95 driver's license;

96 (b) Has passed the vision and hearing examination  
97 administered under s. 322.12;

98 (c) Has completed the traffic law and substance abuse  
99 education course prescribed in s. 322.095; and

100 (d) Meets all other requirements set forth in law and by  
101 rule of the department.

102 Section 6. This act shall take effect July 1, 2011.