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LEGISLATIVE ACTION

Senate

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House

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Senator Hill moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Paragraph (a) of subsection (2) of section  
318.1451, Florida Statutes, is amended to read:

318.1451 Driver improvement schools.—

(2) (a) In determining whether to approve the courses  
referenced in this section, the department shall consider course  
content designed to promote safety, driver awareness, crash  
avoidance techniques, awareness of the risks associated with  
using a handheld electronic communication device while operating  
a motor vehicle, and other factors or criteria to improve driver



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14 performance from a safety viewpoint.

15 Section 2. Subsection (1) of section 322.095, Florida  
16 Statutes, is amended to read:

17 322.095 Traffic law and substance abuse education program  
18 for driver's license applicants.—

19 (1) The Department of Highway Safety and Motor Vehicles  
20 must approve traffic law and substance abuse education courses  
21 that must be completed by applicants for a Florida driver's  
22 license. The curricula for the courses must provide instruction  
23 on the physiological and psychological consequences of the abuse  
24 of alcohol and other drugs, the societal and economic costs of  
25 alcohol and drug abuse, the effects of alcohol and drug abuse on  
26 the driver of a motor vehicle, the risks associated with using a  
27 handheld electronic communication device while operating a motor  
28 vehicle, and the laws of this state relating to the operation of  
29 a motor vehicle. All instructors teaching the courses shall be  
30 certified by the department.

31 Section 3. Subsection (6) is added to section 322.12,  
32 Florida Statutes, to read:

33 322.12 Examination of applicants.—

34 (6) Each examination given for a Class E driver's license  
35 or a commercial driver's license under this section must include  
36 one question testing the applicant's knowledge of traffic  
37 regulations to assist blind persons. In developing questions  
38 under this subsection, the department shall emphasize pedestrian  
39 right-of-way when a driver is making a right turn at an  
40 intersection.

41 Section 4. Subsections (4) through (7) of section 322.56,  
42 Florida Statutes, are renumbered as subsections (5) through (8),



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43 respectively, and a new subsection (4) is added to that section,  
44 to read:

45 322.56 Contracts for administration of driver's license  
46 examination.-

47 (4) All applicants for a learner's driver's license shall  
48 have the ability to take the written examination required by s.  
49 322.12 through a third-party provider. The department shall  
50 contract with providers of approved traffic law and substance  
51 abuse education courses to serve as third-party administrators  
52 to conduct, on behalf of the department, examinations required  
53 pursuant to ss. 322.12 and 322.1615 online to applicants for  
54 Florida Class E learner's driver's licenses. The online testing  
55 program shall require, prior to administering the examination,  
56 the applicant's parent, guardian, or other responsible adult who  
57 meets the requirements of s. 322.09 to provide the third-party  
58 administrator with his or her driver's license number. Before  
59 the issuance of the learner's driver's license, the parent,  
60 guardian, or other responsible adult shall provide the  
61 department with an affidavit stating that the parent, guardian,  
62 or other responsible adult was aware of and allowed the  
63 applicant to take the examination online. The affidavit must be  
64 signed and dated prior to the time the applicant took the test.  
65 This subsection does not preclude the department from continuing  
66 to provide written examinations.

67 Section 5. This act shall take effect July 1, 2011.

68  
69 ===== T I T L E A M E N D M E N T =====

70 And the title is amended as follows:

71 Delete everything before the enacting clause



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72 and insert:

73                   A bill to be entitled  
74           An act relating to driver education and testing;  
75           amending ss. 318.1451 and 322.095, F.S.; requiring the  
76           curricula of driver improvement courses and traffic  
77           law and substance abuse education courses to include  
78           instruction on the risks associated with using a  
79           handheld electronic communication device while  
80           operating a motor vehicle; amending s. 322.12, F.S.;  
81           providing requirements for driver license examination  
82           questions pertaining to traffic regulations relating  
83           to blind pedestrians; amending s. 322.56, F.S.;  
84           providing for written examination for a learner's  
85           driver's license to be available from third-party  
86           providers; providing for the examination to be  
87           administered online under certain conditions;  
88           providing an effective date.