

HB 515

2011

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

14
 15 Be It Enacted by the Legislature of the State of Florida:

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

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

21 322.05 Persons not to be licensed.—The department may not
 22 issue a license:

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

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28 (2) To a person who is at least 17 ~~16~~ years of age but who
 29 has not attained ~~is under~~ 18 years of age unless the person
 30 meets the requirements of s. 322.091 and holds a valid:

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

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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
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 ~~over 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
81 | the department after 1 year if the licensee does not accumulate
82 | any additional points. If the licensee accumulates any
83 | additional points, then the period of restriction shall be

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84 extended 90 days for each point. The restriction shall also be
85 automatically withdrawn upon the licensee's 18th birthday if no
86 other grounds for restriction exist. The licensee must appear
87 before the department to have the restriction removed and a
88 duplicate 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.