

## ENROLLED

CS/CS/HB 689, Engrossed 1

2011 Legislature

1 A bill to be entitled  
2 An act relating to driver education and testing; amending  
3 ss. 318.1451 and 322.095, F.S.; requiring the curricula of  
4 driver improvement courses and traffic law and substance  
5 abuse education courses to include instruction on the  
6 risks associated with using a handheld electronic  
7 communication device while operating a motor vehicle;  
8 amending s. 322.12, F.S.; providing requirements for  
9 driver license examination questions pertaining to traffic  
10 regulations relating to blind pedestrians; amending s.  
11 322.56, F.S.; providing for written examination for a  
12 learner's driver's license to be available from third-  
13 party providers; providing for the examination to be  
14 administered online under certain conditions; providing an  
15 effective date.

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

18  
19 Section 1. Paragraph (a) of subsection (2) of section  
20 318.1451, Florida Statutes, is amended to read:

21 318.1451 Driver improvement schools.—

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

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

31 322.095 Traffic law and substance abuse education program  
32 for driver's license applicants.—

33 (1) The Department of Highway Safety and Motor Vehicles  
34 must approve traffic law and substance abuse education courses  
35 that must be completed by applicants for a Florida driver's  
36 license. The curricula for the courses must provide instruction  
37 on the physiological and psychological consequences of the abuse  
38 of alcohol and other drugs, the societal and economic costs of  
39 alcohol and drug abuse, the effects of alcohol and drug abuse on  
40 the driver of a motor vehicle, the risks associated with using a  
41 handheld electronic communication device while operating a motor  
42 vehicle, and the laws of this state relating to the operation of  
43 a motor vehicle. All instructors teaching the courses shall be  
44 certified by the department.

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

47 322.12 Examination of applicants.—

48 (6) Each examination given for a Class E driver's license  
49 or a commercial driver's license under this section must include  
50 one question testing the applicant's knowledge of traffic  
51 regulations to assist blind persons. In developing questions  
52 under this subsection, the department shall emphasize pedestrian  
53 right-of-way when a driver is making a right turn at an  
54 intersection.

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

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57 | respectively, and a new subsection (4) is added to that section,  
58 | to read:

59 |       322.56 Contracts for administration of driver's license  
60 | examination.—

61 |       (4) All applicants for a learner's driver's license shall  
62 | have the ability to take the written examination required by s.  
63 | 322.12 through a third-party provider. The department shall  
64 | contract with providers of approved traffic law and substance  
65 | abuse education courses to serve as third-party administrators  
66 | to conduct, on behalf of the department, examinations required  
67 | pursuant to ss. 322.12 and 322.1615 online to applicants for  
68 | Florida Class E learner's driver's licenses. The online testing  
69 | program shall require, prior to administering the examination,  
70 | the applicant's parent, guardian, or other responsible adult who  
71 | meets the requirements of s. 322.09 to provide the third-party  
72 | administrator with his or her driver's license number. Before  
73 | the issuance of the learner's driver's license, the parent,  
74 | guardian, or other responsible adult shall provide the  
75 | department with an affidavit stating that the parent, guardian,  
76 | or other responsible adult was aware of and allowed the  
77 | applicant to take the examination online. The affidavit must be  
78 | signed and dated prior to the time the applicant took the test.  
79 | This subsection does not preclude the department from continuing  
80 | to provide written examinations.

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