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LEGISLATIVE ACTION

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| Senate | . | House |
| Comm: RCS | . | |
| 03/18/2013 | . | |
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The Committee on Education (Bullard) recommended the following:

Senate Amendment (with title amendment)

Between lines 531 and 532
insert:

Section 10. Paragraph (d) of subsection (3) of section
322.27, Florida Statutes, is amended to read:

322.27 Authority of department to suspend or revoke driver
license or identification card.-

(3) There is established a point system for evaluation of
convictions of violations of motor vehicle laws or ordinances,
and violations of applicable provisions of s. 403.413(6) (b) when
such violations involve the use of motor vehicles, for the
determination of the continuing qualification of any person to



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14 operate a motor vehicle. The department is authorized to suspend
15 the license of any person upon showing of its records or other
16 good and sufficient evidence that the licensee has been
17 convicted of violation of motor vehicle laws or ordinances, or
18 applicable provisions of s. 403.413(6)(b), amounting to 12 or
19 more points as determined by the point system. The suspension
20 shall be for a period of not more than 1 year.

21 (d) The point system must ~~shall~~ have as its basic element a
22 graduated scale of points assigning relative values to
23 convictions of the following violations:

24 1. Reckless driving, willful and wanton—4 points.

25 2. Leaving the scene of a crash resulting in property
26 damage of more than \$50—6 points.

27 3. Unlawful speed resulting in a crash—6 points.

28 4. Passing a stopped school bus—4 points. However, no
29 points may be imposed if the violation of s. 316.172 is enforced
30 pursuant to s. 316.0084. In addition, a violation of s. 316.172
31 that is enforced pursuant to s. 316.0084 may not be used for
32 purposes of setting motor vehicle insurance rates.

33 5. Unlawful speed:

34 a. Not in excess of 15 miles per hour of lawful or posted
35 speed—3 points.

36 b. In excess of 15 miles per hour of lawful or posted
37 speed—4 points.

38 6. A violation of a traffic control signal device as
39 provided in s. 316.074(1) or s. 316.075(1)(c)1.—4 points.
40 However, no points may ~~shall~~ be imposed for a violation of s.
41 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
42 stop at a traffic signal and when enforced by a traffic



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43 infraction enforcement officer. In addition, a violation of s.
44 316.074(1) or s. 316.075(1)(c)1. when a driver has failed to
45 stop at a traffic signal and when enforced by a traffic
46 infraction enforcement officer may not be used for purposes of
47 setting motor vehicle insurance rates.

48 7. All other moving violations (including parking on a
49 highway outside the limits of a municipality)-3 points. However,
50 no points may ~~shall~~ be imposed for a violation of s. 316.0741 or
51 s. 316.2065(11); and points may ~~shall~~ be imposed for a violation
52 of s. 316.1001 only when imposed by the court after a hearing
53 pursuant to s. 318.14(5).

54 8. Any moving violation covered above, excluding unlawful
55 speed, resulting in a crash-4 points.

56 9. Any conviction under s. 403.413(6)(b)-3 points.

57 10. Any conviction under s. 316.0775(2)-4 points.

58

59 ===== T I T L E A M E N D M E N T =====

60 And the title is amended as follows:

61 Between lines 51 and 52

62 insert:

63 amending s. 322.27, F.S.; providing that the
64 Department of Highway Safety and Motor Vehicles may
65 not impose driver license points following a violation
66 for passing a stopped school bus if such violation is
67 enforced pursuant to the School Bus Safety Camera
68 Program; providing that a violation enforced pursuant
69 to the School Bus Safety Camera Program may not be
70 used for purposes of setting motor vehicle insurance
71 rates;