

By Senator Sachs

34-01181-14

20141572__

1 A bill to be entitled
2 An act relating to persons with disabilities;
3 requiring law enforcement agencies to report certain
4 criminal activity and enforcement of certain laws to
5 the Department of Law Enforcement and the Department
6 of Highway Safety and Motor Vehicles; amending ss.
7 318.1451 and 322.0261, F.S.; requiring the Department
8 of Highway Safety and Motor Vehicles to consider
9 course content relating to traffic laws to assist
10 legally blind and mobility-impaired persons; amending
11 s. 322.095, F.S.; requiring certain traffic law
12 education programs to include the study of traffic
13 laws to assist legally blind and mobility-impaired
14 persons; amending s. 322.12, F.S.; providing
15 requirements for examination questions pertaining to
16 traffic laws relating to legally blind and mobility-
17 impaired persons; amending s. 943.17, F.S.; requiring
18 the basic skills course required in order for law
19 enforcement officers to obtain certification to
20 include the study of traffic laws to assist legally
21 blind and mobility-impaired persons; amending s.
22 1003.48, F.S.; requiring driver education programs to
23 include study of traffic laws to assist legally blind
24 and mobility-impaired persons; providing an effective
25 date.

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. Law enforcement reports.—Each month, each law

34-01181-14

20141572__

30 enforcement agency in the state shall report crimes affecting
31 persons with disabilities, persons who are legally blind, and
32 persons who are mobility impaired to the Department of Law
33 Enforcement and report its enforcement of s. 316.1301, Florida
34 Statutes, and traffic laws to assist legally blind and mobility-
35 impaired persons to the Department of Highway Safety and Motor
36 Vehicles. The report to the Department of Highway Safety and
37 Motor Vehicles shall include incidents of crashes involving
38 legally blind persons and crashes involving mobility-impaired
39 persons. The Department of Law Enforcement and the Department of
40 Highway Safety and Motor Vehicles shall each provide procedures
41 for the collection and maintenance of the reports in the same
42 manner as other criminal activity and enforcement reports are
43 collected and maintained by that department.

44 Section 2. Paragraph (a) of subsection (2) of section
45 318.1451, Florida Statutes, is amended to read:

46 318.1451 Driver improvement schools.—

47 (2) (a) In determining whether to approve the courses
48 referenced in this section, the department shall consider course
49 content designed to promote safety, driver awareness, crash
50 avoidance techniques, and other factors or criteria to improve
51 driver performance from a safety viewpoint, including promoting
52 motorcyclist, bicyclist, and pedestrian safety and risk factors
53 resulting from driver attitude and irresponsible driver
54 behaviors, such as speeding, running red lights and stop signs,
55 and using electronic devices while driving. The department shall
56 also consider course content that includes the study of s.
57 316.1301 and traffic laws to assist legally blind and mobility-
58 impaired persons. Initial approval of the courses shall also be

34-01181-14

20141572__

59 based on the department's review of all course materials, course
60 presentation to the department by the provider, and the
61 provider's plan for effective oversight of the course by those
62 who deliver the course in the state. New courses shall be
63 provisionally approved and limited to the judicial circuit
64 originally approved for pilot testing until the course is fully
65 approved by the department for statewide delivery.

66 Section 3. Subsection (5) of section 322.0261, Florida
67 Statutes, is amended to read:

68 322.0261 Driver improvement course; requirement to maintain
69 driving privileges; failure to complete; department approval of
70 course.—

71 (5) In determining whether to approve a driver improvement
72 course for the purposes of this section, the department shall
73 consider course content designed to promote safety, driver
74 awareness, crash avoidance techniques, and other factors or
75 criteria to improve driver performance from a safety viewpoint.
76 The department shall also consider course content that includes
77 the study of s. 316.1301 and traffic laws to assist legally
78 blind and mobility-impaired persons.

79 Section 4. Paragraph (b) of subsection (2) of section
80 322.095, Florida Statutes, is amended to read:

81 322.095 Traffic law and substance abuse education program
82 for driver license applicants.—

83 (2) The Department of Highway Safety and Motor Vehicles
84 must approve traffic law and substance abuse education courses,
85 including courses that use communications technology as the
86 delivery method.

87 (b) Each course provider seeking approval of a traffic law

34-01181-14

20141572__

88 and substance abuse education course must submit:

89 1. Proof of ownership, copyright, or written permission
90 from the course owner to use the course in the state.

91 2. The curriculum for the courses which must promote
92 motorcyclist, bicyclist, and pedestrian safety and provide
93 instruction on the physiological and psychological consequences
94 of the abuse of alcohol and other drugs; the societal and
95 economic costs of alcohol and drug abuse; the effects of alcohol
96 and drug abuse on the driver of a motor vehicle; the laws of
97 this state relating to the operation of a motor vehicle; the
98 risk factors involved in driver attitude and irresponsible
99 driver behaviors, such as speeding, reckless driving, and
100 running red lights and stop signs; and the results of the use of
101 electronic devices while driving. The curricula must also
102 include the study of s. 316.1301 and traffic laws to assist
103 legally blind and mobility-impaired persons.

104 Section 5. Subsection (6) is added to section 322.12,
105 Florida Statutes, to read:

106 322.12 Examination of applicants.—

107 (6) Each examination given for a Class E driver license or
108 a commercial driver license under this section must include one
109 question testing the applicant's knowledge of s. 316.1301 and
110 traffic laws to assist legally blind and mobility-impaired
111 persons. In developing questions under this subsection, the
112 department shall emphasize pedestrian right-of-way when a driver
113 is making a right turn at an intersection.

114 Section 6. Subsection (5) of section 943.17, Florida
115 Statutes, is amended to read:

116 943.17 Basic recruit, advanced, and career development

34-01181-14

20141572__

117 training programs; participation; cost; evaluation.—The
118 commission shall, by rule, design, implement, maintain,
119 evaluate, and revise entry requirements and job-related
120 curricula and performance standards for basic recruit, advanced,
121 and career development training programs and courses. The rules
122 shall include, but are not limited to, a methodology to assess
123 relevance of the subject matter to the job, student performance,
124 and instructor competency.

125 (5) The commission, in consultation with the Florida
126 Violent Crime and Drug Control Council, shall establish
127 standards for basic and advanced training programs for law
128 enforcement officers in the subjects of investigating and
129 preventing violent crime. The curricula of every basic skills
130 course required in order for law enforcement officers to obtain
131 initial certification must include the study of s. 316.1301 and
132 traffic laws to assist legally blind and mobility-impaired
133 persons. After January 1, 1995, every basic skills course
134 required in order for law enforcement officers to obtain initial
135 certification must include training on violent crime prevention
136 and investigations.

137 Section 7. Subsection (1) of section 1003.48, Florida
138 Statutes, is amended to read:

139 1003.48 Instruction in operation of motor vehicles.—

140 (1) A course of study and instruction in the safe and
141 lawful operation of a motor vehicle shall be made available by
142 each district school board to students in the secondary schools
143 in the state. As used in this section, the term "motor vehicle"
144 shall have the same meaning as in s. 320.01(1)(a) and shall
145 include motorcycles and mopeds. Instruction in motorcycle or

34-01181-14

20141572__

146 moped operation may be limited to classroom instruction. The
147 curricula of every course must include the study of s. 316.1301
148 and traffic laws to assist legally blind and mobility-impaired
149 persons. The course shall not be made a part of, or a substitute
150 for, any of the minimum requirements for graduation.

151 Section 8. This act shall take effect July 1, 2014.