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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/14/2016	.	
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The Committee on Transportation (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 525 - 557

and insert:

or court obligation if the person demonstrates to the court, after receiving the penalty and prior to the suspension taking place, that he or she is unable to pay the penalty or court obligation. A person is considered unable to pay if the person provides documentation to the appropriate clerk of court evidencing that:



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11 (a) The person receives reemployment assistance or
12 unemployment compensation pursuant to chapter 443;

13 (b) The person is disabled and incapable of self-support or
14 receives benefits under the federal Supplemental Security Income
15 program or Social Security Disability Insurance program;

16 (c) The person receives temporary cash assistance pursuant
17 to chapter 414;

18 (d) The person is making payments in accordance with a
19 confirmed bankruptcy plan under chapter 11, chapter 12, or
20 chapter 13 of the United States Bankruptcy Code, 11 U.S.C. ss.
21 101 et seq.;

22 (e) The person has been placed on a payment plan or payment
23 plans with the clerk of court which in total exceed what is
24 determined to be a reasonable payment plan pursuant to s.
25 28.246(4); or

26 (f) The person has been determined to be indigent after
27 filing an application with the clerk in accordance with s. 27.52
28 or s. 57.082.

29 Section 12. Subsection (7) of section 322.251, Florida
30 Statutes, is repealed.

31 Section 13. Subsection (8) is added to section 322.271,
32 Florida Statutes, to read:

33 322.271 Authority to modify revocation, cancellation, or
34 suspension order.—

35 (8) A person whose driver license or privilege to drive has
36 been suspended under s. 318.15 or s. 322.245, with the exception
37 of any suspension related to s. 61.13016, may have his or her
38 driver license or driving privilege reinstated on a restricted
39 basis by the department in accordance with this section. The



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40 restricted license shall be valid until the 7-year suspension
41 period ends as provided in s. 318.15, Florida Statutes, or until
42 the debt is paid.

43

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

45 And the title is amended as follows:

46 Delete lines 55 - 69

47 and insert:

48 a penalty if the person demonstrates to the court,
49 when specified, that he or she is unable to pay such
50 penalty; requiring the person to provide documentation
51 meeting certain requirements to the appropriate clerk
52 of court in order to be considered unable to pay;
53 repealing s. 322.251(7), F.S., relating to notice of
54 suspension or revocation of driving privileges,
55 reasons for reinstatement of such driving privileges,
56 and certain electronic access to identify a person who
57 is the subject of an outstanding warrant or capias for
58 passing worthless bank checks; amending s. 322.271,
59 F.S.; providing that a person whose driver license or
60 privilege to drive has been suspended may have his or
61 her driver license or driving privilege reinstated on
62 a restricted basis under certain circumstances;
63 providing the period of validity of such restricted
64 license;