

By the Committee on Transportation

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1 A bill to be entitled
2 An act relating to penalties and fees; amending s.
3 27.52, F.S.; adding a financial information
4 requirement for a certain application form; amending
5 s. 28.246, F.S.; revising requirements relating to the
6 payment of court-related fines or other monetary
7 penalties, fees, charges, and costs; authorizing,
8 rather than requiring, a clerk of court to pursue
9 collection of certain fees, charges, fines, costs, or
10 liens under certain circumstances; requiring a clerk
11 of court to competitively bid a contract with a
12 collection agency or private attorney under certain
13 circumstances, subject to certain requirements;
14 prohibiting the clerk from assessing any collections
15 transfer surcharge; prohibiting the collection agency
16 or private attorney from imposing certain additional
17 fees or surcharges; amending s. 316.650, F.S.;
18 requiring traffic citation forms to include certain
19 language relating to payment of a penalty; amending s.
20 318.15, F.S.; prohibiting the suspension of a person's
21 driver license solely for failure to pay a penalty if
22 the person demonstrates to the court, when specified,
23 that he or she is unable to pay such penalty;
24 requiring the person to provide documentation meeting
25 certain requirements to the appropriate clerk of court
26 in order to be considered unable to pay; amending s.
27 318.18, F.S.; requiring a court to inquire regarding a
28 person's ability to pay at the time a certain civil
29 penalty is ordered; amending s. 322.055, F.S.;
30 decreasing the period for revocation or suspension of,
31 or delay of eligibility for, driver licenses or
32 driving privileges for certain persons convicted of

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33 certain drug offenses; deleting provisions authorizing
34 a driver to petition the department for restoration of
35 the person's driving privilege; amending s. 322.056,
36 F.S.; decreasing the period for revocation or
37 suspension of, or delay of eligibility for, driver
38 licenses or driving privileges for certain persons
39 found guilty of certain drug offenses; deleting a
40 provision authorizing a court to direct the Department
41 of Highway Safety and Motor Vehicles to issue a
42 license for certain restricted driving privileges
43 under certain circumstances; deleting requirements
44 relating to the revocation or suspension of, or delay
45 of eligibility for, driver licenses or driving
46 privileges for certain persons found guilty of certain
47 alcohol or tobacco offenses; repealing s. 322.057,
48 F.S., relating to discretionary revocation or
49 suspension of a driver license for certain persons who
50 provide alcohol to persons under a specified age;
51 amending s. 322.09, F.S.; deleting a provision
52 prohibiting the issuance of a driver license or
53 learner's driver license under certain circumstances;
54 repealing s. 322.091, F.S., relating to attendance
55 requirements for driving privileges; amending s.
56 322.245, F.S.; prohibiting the suspension of a
57 person's driver license solely for failure to pay a
58 penalty if the person demonstrates to the court, when
59 specified, that he or she is unable to pay such
60 penalty; requiring the person to provide documentation
61 meeting certain requirements to the appropriate clerk

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62 of court in order to be considered unable to pay;
63 repealing s. 322.251(7), F.S., relating to notice of
64 suspension or revocation of driving privileges,
65 reasons for reinstatement of such driving privileges,
66 and certain electronic access to identify a person who
67 is the subject of an outstanding warrant or capias for
68 passing worthless bank checks; amending s. 322.271,
69 F.S.; providing that a person whose driver license or
70 privilege to drive has been suspended may have his or
71 her driver license or driving privilege reinstated on
72 a restricted basis under certain circumstances;
73 providing the period of validity of such restricted
74 license; amending s. 322.34, F.S.; revising the
75 underlying violations resulting in driver license or
76 driving privilege cancellation, suspension, or
77 revocation for which specified penalties apply;
78 amending s. 562.11, F.S.; revising penalties for
79 selling, giving, serving, or permitting to be served
80 alcoholic beverages to a person under a specified age
81 or permitting such person to consume such beverages on
82 licensed premises; repealing s. 562.111(3), F.S.,
83 relating to withholding issuance of, or suspending or
84 revoking, a driver license or driving privilege for
85 possession of alcoholic beverages by persons under a
86 specified age; amending s. 569.11, F.S.; revising
87 penalties for persons under a specified age who
88 knowingly possess, misrepresent their age or military
89 service to purchase, or purchase or attempt to
90 purchase tobacco products; authorizing, rather than

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91 requiring, the court to direct the Department of
92 Highway Safety and Motor Vehicles to withhold issuance
93 of or suspend a person's driver license or driving
94 privilege for certain violations; amending s. 790.22,
95 F.S.; revising penalties relating to suspending,
96 revoking, or withholding issuance of driver licenses
97 or driving privileges for minors under a specified age
98 who possess firearms under certain circumstances;
99 deleting provisions relating to penalties for certain
100 offenses involving the use or possession of a firearm
101 by a minor under a specified age; amending s. 806.13,
102 F.S.; deleting provisions relating to certain
103 penalties for criminal mischief by a minor; repealing
104 s. 812.0155, F.S., relating to suspension of a driver
105 license following an adjudication of guilt for theft;
106 repealing s. 832.09, F.S., relating to suspension of a
107 driver license after warrant or capias is issued in
108 worthless check cases; amending s. 877.112, F.S.;
109 revising penalties for persons under a specified age
110 who knowingly possess, misrepresent their age or
111 military service to purchase, or purchase or attempt
112 to purchase any nicotine product or nicotine
113 dispensing device; authorizing, rather than requiring,
114 the court to direct the department to withhold
115 issuance of or suspend a person's driver license or
116 driving privilege for certain violations; amending s.
117 938.30, F.S.; authorizing a judge to convert certain
118 statutory financial obligations into court-ordered
119 obligations to perform community service by reliance

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120 upon specified information under certain
121 circumstances; amending s. 1003.27, F.S.; deleting
122 provisions relating to procedures and penalties for
123 nonenrollment and nonattendance cases; amending ss.
124 318.14, 322.05, 397.951, and 1003.01, F.S.; conforming
125 provisions to changes made by the act; providing
126 applicability; providing an effective date.

127

128 Be It Enacted by the Legislature of the State of Florida:

129

130 Section 1. Paragraph (a) of subsection (1) of section
131 27.52, Florida Statutes, is amended to read:

132 27.52 Determination of indigent status.—

133 (1) APPLICATION TO THE CLERK.—A person seeking appointment
134 of a public defender under s. 27.51 based upon an inability to
135 pay must apply to the clerk of the court for a determination of
136 indigent status using an application form developed by the
137 Florida Clerks of Court Operations Corporation with final
138 approval by the Supreme Court.

139 (a) The application must include, at a minimum, the
140 following financial information:

141 1. Net income, consisting of total salary and wages, minus
142 deductions required by law, including court-ordered support
143 payments.

144 2. Other income, including, but not limited to, social
145 security benefits, union funds, veterans' benefits, workers'
146 compensation, other regular support from absent family members,
147 public or private employee pensions, reemployment assistance or
148 unemployment compensation, dividends, interest, rent, trusts,

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149 and gifts.

150 3. Assets, including, but not limited to, cash, savings
151 accounts, bank accounts, stocks, bonds, certificates of deposit,
152 equity in real estate, and equity in a boat or a motor vehicle
153 or in other tangible property.

154 4. All liabilities and debts.

155 5. If applicable, the amount of any bail paid for the
156 applicant's release from incarceration and the source of the
157 funds.

158 6. The election of or refusal of the option to fulfill any
159 court-ordered financial obligation associated with the case by
160 the completion of community service as ordered by the court.

161
162 The application must include a signature by the applicant which
163 attests to the truthfulness of the information provided. The
164 application form developed by the corporation must include
165 notice that the applicant may seek court review of a clerk's
166 determination that the applicant is not indigent, as provided in
167 this section.

168 Section 2. Subsections (4) and (6) of section 28.246,
169 Florida Statutes, are amended to read:

170 28.246 Payment of court-related fines or other monetary
171 penalties, fees, charges, and costs; partial payments;
172 distribution of funds.—

173 (4) The clerk of the circuit court shall accept partial
174 payments for court-related fees, service charges, costs, and
175 fines in accordance with the terms of an established payment
176 plan. An individual seeking to defer payment of fees, service
177 charges, costs, or fines imposed by operation of law or order of

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178 the court under any provision of general law shall apply to the
179 clerk for enrollment in a payment plan. ~~The clerk shall enter~~
180 ~~into a payment plan with an individual who the court determines~~
181 ~~is indigent for costs.~~ A monthly payment amount, calculated
182 based upon all fees and all anticipated costs, may ~~is presumed~~
183 ~~to correspond to the person's ability to pay if the amount does~~
184 not exceed 2 percent of the person's annual net income, as
185 defined in s. 27.52(1), divided by 12, without the consent of
186 the applicant. The court may review the reasonableness of the
187 payment plan.

188 (6) A clerk of court may ~~shall~~ pursue the collection of any
189 fees, service charges, fines, court costs, and liens for the
190 payment of attorney fees and costs pursuant to s. 938.29 which
191 remain unpaid after 90 days by referring the account to a
192 private attorney who is a member in good standing of The Florida
193 Bar or collection agent who is registered and in good standing
194 pursuant to chapter 559. In pursuing the collection of such
195 unpaid financial obligations through a private attorney or
196 collection agent, the clerk of the court must first attempt ~~have~~
197 ~~attempted~~ to collect the unpaid amount through a collection
198 court, collections docket, or other collections process, if any,
199 established by the court. If this attempt is unsuccessful, the
200 clerk may pursue the collection through a private attorney or
201 collection agent following ~~, find this to be cost-effective and~~
202 ~~follow~~ any applicable procurement practices. and the following
203 conditions:

204 (a) In retaining a collection agent or private attorney as
205 provided in this subsection, the clerk shall competitively bid a
206 contract with a collection agent or private attorney. Such

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207 contract may be in effect for no longer than 3 years with a
208 maximum of two, one-year extensions.

209 (b) The clerk shall consider all pertinent criteria when
210 considering bids including, but not limited to, performance
211 quality, customer service, and collection fees. However, the
212 collection fee, including any reasonable attorney attorney's
213 fee, paid to any attorney or collection agent retained by the
214 clerk may be added to the balance owed in an amount not to
215 exceed 40 percent of the amount owed at the time the account is
216 referred to the attorney or agent for collection.

217 (c) The clerk may not assess any collections transfer
218 surcharges.

219 (d) The collection agent or private attorney may not impose
220 any additional fees or surcharges other than their contractually
221 agreed upon surcharge.

222 (e) The clerk shall give the private attorney or collection
223 agent the application for the appointment of court-appointed
224 counsel regardless of whether the court file is otherwise
225 confidential from disclosure.

226 Section 3. Present paragraphs (b), (c), and (d) of
227 subsection (1) of section 316.650, Florida Statutes, are
228 redesignated as paragraphs (c), (d), and (e), respectively, a
229 new paragraph (b) is added to that subsection, and present
230 paragraph (c) of that subsection is amended, to read:

231 316.650 Traffic citations.—

232 (1)

233 (b) The traffic citation form must include language
234 indicating that a person may enter into a payment plan with the
235 clerk of court to pay a penalty. The form must also indicate

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236 that a person ordered to pay a penalty for a noncriminal traffic
237 infraction who is unable to comply due to demonstrable financial
238 hardship will be allowed by the court to satisfy payment by
239 participating in community service pursuant to s. 318.18(8)(b).

240 (d) ~~(e)~~ Notwithstanding paragraphs (a) and (c) ~~(b)~~, a
241 traffic enforcement agency may produce uniform traffic citations
242 by electronic means. Such citations must be consistent with the
243 state traffic court rules and the procedures established by the
244 department and must be appropriately numbered and inventoried.
245 Affidavit-of-compliance forms may also be produced by electronic
246 means.

247 Section 4. Subsection (4) is added to section 318.15,
248 Florida Statutes, to read:

249 318.15 Failure to comply with civil penalty or to appear;
250 penalty.-

251 (4) Notwithstanding any other law, a person's driver
252 license may not be suspended solely for failure to pay a penalty
253 if the person demonstrates to the court, after receiving the
254 penalty and prior to the suspension taking place, that he or she
255 is unable to pay the penalty. A person is considered unable to
256 pay if the person provides documentation to the appropriate
257 clerk of court evidencing that:

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

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

263 (c) The person receives temporary cash assistance pursuant
264 to chapter 414;

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265 (d) The person is making payments in accordance with a
266 confirmed bankruptcy plan under chapter 11, chapter 12, or
267 chapter 13 of the United States Bankruptcy Code, 11 U.S.C. ss.
268 101 et seq.;

269 (e) The person has been placed on a payment plan or payment
270 plans with the clerk of court which in total exceed what is
271 determined to be a reasonable payment plan pursuant to s.
272 28.246(4); or

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

276 Section 5. Paragraph (b) of subsection (8) of section
277 318.18, Florida Statutes, is amended to read:

278 318.18 Amount of penalties.—The penalties required for a
279 noncriminal disposition pursuant to s. 318.14 or a criminal
280 offense listed in s. 318.17 are as follows:

281 (8)

282 (b)1.a. If a person has been ordered to pay a civil penalty
283 for a noncriminal traffic infraction and the person is unable to
284 comply with the court's order due to demonstrable financial
285 hardship, the court shall allow the person to satisfy the civil
286 penalty by participating in community service until the civil
287 penalty is paid.

288 b. The court shall inquire regarding the person's ability
289 to pay at the time the civil penalty is ordered.

290 c. If a court orders a person to perform community service,
291 the person shall receive credit for the civil penalty at the
292 specified hourly credit rate per hour of community service
293 performed, and each hour of community service performed shall

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294 reduce the civil penalty by that amount.

295 2.a. As used in this paragraph, the term "specified hourly
296 credit rate" means the wage rate that is specified in 29 U.S.C.
297 s. 206(a)(1) under the federal Fair Labor Standards Act of 1938,
298 that is then in effect, and that an employer subject to such
299 provision must pay per hour to each employee subject to such
300 provision.

301 b. However, if a person ordered to perform community
302 service has a trade or profession for which there is a community
303 service need, the specified hourly credit rate for each hour of
304 community service performed by that person shall be the average
305 prevailing wage rate for the trade or profession that the
306 community service agency needs.

307 3.a. The community service agency supervising the person
308 shall record the number of hours of community service completed
309 and the date the community service hours were completed. The
310 community service agency shall submit the data to the clerk of
311 court on the letterhead of the community service agency, which
312 must also bear the notarized signature of the person designated
313 to represent the community service agency.

314 b. When the number of community service hours completed by
315 the person equals the amount of the civil penalty, the clerk of
316 court shall certify this fact to the court. Thereafter, the
317 clerk of court shall record in the case file that the civil
318 penalty has been paid in full.

319 4. As used in this paragraph, the term:

320 a. "Community service" means uncompensated labor for a
321 community service agency.

322 b. "Community service agency" means a not-for-profit

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323 corporation, community organization, charitable organization,
324 public officer, the state or any political subdivision of the
325 state, or any other body the purpose of which is to improve the
326 quality of life or social welfare of the community and which
327 agrees to accept community service from persons unable to pay
328 civil penalties for noncriminal traffic infractions.

329 Section 6. Subsections (1) through (4) of section 322.055,
330 Florida Statutes, are amended to read:

331 322.055 Revocation or suspension of, or delay of
332 eligibility for, driver license for persons 18 years of age or
333 older convicted of certain drug offenses.-

334 (1) Notwithstanding s. 322.28, upon the conviction of a
335 person 18 years of age or older for possession or sale of,
336 trafficking in, or conspiracy to possess, sell, or traffic in a
337 controlled substance, the court shall direct the department to
338 revoke the driver license or driving privilege of the person.
339 The period of such revocation shall be 6 months ~~1 year~~ or until
340 the person is evaluated for and, if deemed necessary by the
341 evaluating agency, completes a drug treatment and rehabilitation
342 program approved or regulated by the Department of Children and
343 Families. However, the court may, in its sound discretion,
344 direct the department to issue a license for driving privilege
345 restricted to business or employment purposes only, as defined
346 by s. 322.271, if the person is otherwise qualified for such a
347 license. ~~A driver whose license or driving privilege has been
348 suspended or revoked under this section or s. 322.056 may, upon
349 the expiration of 6 months, petition the department for
350 restoration of the driving privilege on a restricted or
351 unrestricted basis depending on length of suspension or~~

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352 ~~revocation. In no case shall~~ A restricted license may not be
353 available until 6 months of the suspension or revocation period
354 has expired.

355 (2) If a person 18 years of age or older is convicted for
356 the possession or sale of, trafficking in, or conspiracy to
357 possess, sell, or traffic in a controlled substance and such
358 person is eligible by reason of age for a driver license or
359 privilege, the court shall direct the department to withhold
360 issuance of such person's driver license or driving privilege
361 for a period of 6 months ~~1 year~~ after the date the person was
362 convicted or until the person is evaluated for and, if deemed
363 necessary by the evaluating agency, completes a drug treatment
364 and rehabilitation program approved or regulated by the
365 Department of Children and Families. However, the court may, in
366 its sound discretion, direct the department to issue a license
367 for driving privilege restricted to business or employment
368 purposes only, as defined by s. 322.271, if the person is
369 otherwise qualified for such a license. ~~A driver whose license
370 or driving privilege has been suspended or revoked under this
371 section or s. 322.056 may, upon the expiration of 6 months,
372 petition the department for restoration of the driving privilege
373 on a restricted or unrestricted basis depending on the length of
374 suspension or revocation. In no case shall~~ A restricted license
375 may not be available until 6 months of the suspension or
376 revocation period has expired.

377 (3) If a person 18 years of age or older is convicted for
378 the possession or sale of, trafficking in, or conspiracy to
379 possess, sell, or traffic in a controlled substance and such
380 person's driver license or driving privilege is already under

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381 suspension or revocation for any reason, the court shall direct
382 the department to extend the period of such suspension or
383 revocation by an additional period of 6 months ~~1-year~~ or until
384 the person is evaluated for and, if deemed necessary by the
385 evaluating agency, completes a drug treatment and rehabilitation
386 program approved or regulated by the Department of Children and
387 Families. However, the court may, in its sound discretion,
388 direct the department to issue a license for driving privilege
389 restricted to business or employment purposes only, as defined
390 by s. 322.271, if the person is otherwise qualified for such a
391 license. ~~A driver whose license or driving privilege has been~~
392 ~~suspended or revoked under this section or s. 322.056 may, upon~~
393 ~~the expiration of 6 months, petition the department for~~
394 ~~restoration of the driving privilege on a restricted or~~
395 ~~unrestricted basis depending on the length of suspension or~~
396 ~~revocation. In no case shall~~ A restricted license may not be
397 available until 6 months of the suspension or revocation period
398 has expired.

399 (4) If a person 18 years of age or older is convicted for
400 the possession or sale of, trafficking in, or conspiracy to
401 possess, sell, or traffic in a controlled substance and such
402 person is ineligible by reason of age for a driver license or
403 driving privilege, the court shall direct the department to
404 withhold issuance of such person's driver license or driving
405 privilege for a period of 6 months ~~1-year~~ after the date that he
406 or she would otherwise have become eligible or until he or she
407 becomes eligible by reason of age for a driver license and is
408 evaluated for and, if deemed necessary by the evaluating agency,
409 completes a drug treatment and rehabilitation program approved

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410 or regulated by the Department of Children and Families.
411 However, the court may, in its sound discretion, direct the
412 department to issue a license for driving privilege restricted
413 to business or employment purposes only, as defined by s.
414 322.271, if the person is otherwise qualified for such a
415 license. ~~A driver whose license or driving privilege has been~~
416 ~~suspended or revoked under this section or s. 322.056 may, upon~~
417 ~~the expiration of 6 months, petition the department for~~
418 ~~restoration of the driving privilege on a restricted or~~
419 ~~unrestricted basis depending on the length of suspension or~~
420 ~~revocation. In no case shall~~ A restricted license may not be
421 available until 6 months of the suspension or revocation period
422 has expired.

423 Section 7. Section 322.056, Florida Statutes, is amended to
424 read:

425 322.056 Mandatory revocation or suspension of, or delay of
426 eligibility for, driver license for persons under age 18 found
427 guilty of ~~certain alcohol, drug, or tobacco~~ offenses;
428 prohibition.—

429 (1) Notwithstanding the provisions of s. 322.055, if a
430 person under 18 years of age is found guilty of or delinquent
431 for a violation of ~~s. 562.11(2), s. 562.111, or~~ chapter 893,
432 and:

433 (a) The person is eligible by reason of age for a driver
434 license or driving privilege, the court shall direct the
435 department to revoke or to withhold issuance of his or her
436 driver license or driving privilege for a period of 6 months.†

437 ~~1. Not less than 6 months and not more than 1 year for the~~
438 ~~first violation.~~

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439 ~~2. Two years, for a subsequent violation.~~

440 (b) The person's driver license or driving privilege is
441 under suspension or revocation for any reason, the court shall
442 direct the department to extend the period of suspension or
443 revocation by an additional period of 6 months.~~±~~

444 ~~1. Not less than 6 months and not more than 1 year for the~~
445 ~~first violation.~~

446 ~~2. Two years, for a subsequent violation.~~

447 (c) The person is ineligible by reason of age for a driver
448 license or driving privilege, the court shall direct the
449 department to withhold issuance of his or her driver license or
450 driving privilege for a period of~~±~~

451 ~~1. Not less than 6 months and not more than 1 year after~~
452 ~~the date on which he or she would otherwise have become~~
453 ~~eligible, for the first violation.~~

454 ~~2. Two years after the date on which he or she would~~
455 ~~otherwise have become eligible, for a subsequent violation.~~

456
457 ~~However, the court may, in its sound discretion, direct the~~
458 ~~department to issue a license for driving privileges restricted~~
459 ~~to business or employment purposes only, as defined in s.~~
460 ~~322.271, if the person is otherwise qualified for such a~~
461 ~~license.~~

462 ~~(2) If a person under 18 years of age is found by the court~~
463 ~~to have committed a noncriminal violation under s. 569.11 or s.~~
464 ~~877.112(6) or (7) and that person has failed to comply with the~~
465 ~~procedures established in that section by failing to fulfill~~
466 ~~community service requirements, failing to pay the applicable~~
467 ~~fine, or failing to attend a locally available school approved~~

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468 ~~anti-tobacco program, and:~~

469 ~~(a) The person is eligible by reason of age for a driver~~
470 ~~license or driving privilege, the court shall direct the~~
471 ~~department to revoke or to withhold issuance of his or her~~
472 ~~driver license or driving privilege as follows:~~

473 ~~1. For the first violation, for 30 days.~~

474 ~~2. For the second violation within 12 weeks of the first~~
475 ~~violation, for 45 days.~~

476 ~~(b) The person's driver license or driving privilege is~~
477 ~~under suspension or revocation for any reason, the court shall~~
478 ~~direct the department to extend the period of suspension or~~
479 ~~revocation by an additional period as follows:~~

480 ~~1. For the first violation, for 30 days.~~

481 ~~2. For the second violation within 12 weeks of the first~~
482 ~~violation, for 45 days.~~

483 ~~(c) The person is ineligible by reason of age for a driver~~
484 ~~license or driving privilege, the court shall direct the~~
485 ~~department to withhold issuance of his or her driver license or~~
486 ~~driving privilege as follows:~~

487 ~~1. For the first violation, for 30 days.~~

488 ~~2. For the second violation within 12 weeks of the first~~
489 ~~violation, for 45 days.~~

490
491 ~~Any second violation of s. 569.11 or s. 877.112(6) or (7) not~~
492 ~~within the 12-week period after the first violation will be~~
493 ~~treated as a first violation and in the same manner as provided~~
494 ~~in this subsection.~~

495 ~~(3) If a person under 18 years of age is found by the court~~
496 ~~to have committed a third violation of s. 569.11 or s.~~

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497 ~~877.112(6) or (7) within 12 weeks of the first violation, the~~
498 ~~court must direct the Department of Highway Safety and Motor~~
499 ~~Vehicles to suspend or withhold issuance of his or her driver~~
500 ~~license or driving privilege for 60 consecutive days. Any third~~
501 ~~violation of s. 569.11 or s. 877.112(6) or (7) not within the~~
502 ~~12-week period after the first violation will be treated as a~~
503 ~~first violation and in the same manner as provided in subsection~~
504 ~~(2).~~

505 (2)~~(4)~~ A penalty imposed under this section shall be in
506 addition to any other penalty imposed by law.

507 ~~(5) The suspension or revocation of a person's driver~~
508 ~~license imposed pursuant to subsection (2) or subsection (3),~~
509 ~~shall not result in or be cause for an increase of the convicted~~
510 ~~person's, or his or her parent's or legal guardian's, automobile~~
511 ~~insurance rate or premium or result in points assessed against~~
512 ~~the person's driving record.~~

513 Section 8. Section 322.057, Florida Statutes, is repealed.

514 Section 9. Subsection (3) of section 322.09, Florida
515 Statutes, is amended, and present subsections (4) and (5) of
516 that section are redesignated as subsections (3) and (4),
517 respectively, to read:

518 322.09 Application of minors; responsibility for negligence
519 or misconduct of minor.—

520 ~~(3) The department may not issue a driver license or~~
521 ~~learner's driver license to any applicant under the age of 18~~
522 ~~years who is not in compliance with the requirements of s.~~
523 ~~322.091.~~

524 Section 10. Section 322.091, Florida Statutes, is repealed.

525 Section 11. Subsection (6) is added to section 322.245,

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526 Florida Statutes, to read:

527 322.245 Suspension of license upon failure of person
528 charged with specified offense under chapter 316, chapter 320,
529 or this chapter to comply with directives ordered by traffic
530 court or upon failure to pay child support in non-IV-D cases as
531 provided in chapter 61 or failure to pay any financial
532 obligation in any other criminal case.-

533 (6) Notwithstanding any other law, a person's driver
534 license may not be suspended solely for failure to pay a penalty
535 or court obligation if the person demonstrates to the court,
536 after receiving the penalty and prior to the suspension taking
537 place, that he or she is unable to pay the penalty or court
538 obligation. A person is considered unable to pay if the person
539 provides documentation to the appropriate clerk of court
540 evidencing that:

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

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

546 (c) The person receives temporary cash assistance pursuant
547 to chapter 414;

548 (d) The person is making payments in accordance with a
549 confirmed bankruptcy plan under chapter 11, chapter 12, or
550 chapter 13 of the United States Bankruptcy Code, 11 U.S.C. ss.
551 101 et seq.;

552 (e) The person has been placed on a payment plan or payment
553 plans with the clerk of court which in total exceed what is
554 determined to be a reasonable payment plan pursuant to s.

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555 28.246(4); or

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

559 Section 12. Subsection (7) of section 322.251, Florida
560 Statutes, is repealed.

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

563 322.271 Authority to modify revocation, cancellation, or
564 suspension order.—

565 (8) A person whose driver license or privilege to drive has
566 been suspended under s. 318.15 or s. 322.245, with the exception
567 of any suspension related to s. 61.13016, may have his or her
568 driver license or driving privilege reinstated on a restricted
569 basis by the department in accordance with this section. The
570 restricted license shall be valid until the 7-year suspension
571 period ends as provided in s. 318.15 or until the debt is paid.

572 Section 14. Subsection (10) of section 322.34, Florida
573 Statutes, is amended to read:

574 322.34 Driving while license suspended, revoked, canceled,
575 or disqualified.—

576 (10) (a) Notwithstanding any other provision of this
577 section, if a person does not have a prior forcible felony
578 conviction as defined in s. 776.08, the penalties provided in
579 paragraph (b) apply if a person's driver license or driving
580 privilege is canceled, suspended, or revoked for:

581 1. Failing to pay child support as provided in s. 322.245
582 or s. 61.13016;

583 2. Failing to pay any other financial obligation as

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584 provided in s. 322.245 ~~other than those specified in s.~~
585 ~~322.245(1)~~;

586 3. Failing to comply with a civil penalty required in s.
587 318.15;

588 4. Failing to maintain vehicular financial responsibility
589 as required by chapter 324; or

590 ~~5. Failing to comply with attendance or other requirements~~
591 ~~for minors as set forth in s. 322.091; or~~

592 5.6. Having been designated a habitual traffic offender
593 under s. 322.264(1)(d) as a result of suspensions of his or her
594 driver license or driver privilege for any underlying violation
595 listed in subparagraphs 1.-4. ~~1.-5.~~

596 (b)1. Upon a first conviction for knowingly driving while
597 his or her license is suspended, revoked, or canceled for any of
598 the underlying violations listed in subparagraphs (a)1.-5.
599 ~~(a)1.-6.~~, a person commits a misdemeanor of the second degree,
600 punishable as provided in s. 775.082 or s. 775.083.

601 2. Upon a second or subsequent conviction for the same
602 offense of knowingly driving while his or her license is
603 suspended, revoked, or canceled for any of the underlying
604 violations listed in subparagraphs (a)1.-5. ~~(a)1.-6.~~, a person
605 commits a misdemeanor of the first degree, punishable as
606 provided in s. 775.082 or s. 775.083.

607 Section 15. Paragraph (a) of subsection (1) of section
608 562.11, Florida Statutes, is amended to read:

609 562.11 Selling, giving, or serving alcoholic beverages to
610 person under age 21; providing a proper name; misrepresenting or
611 misstating age or age of another to induce licensee to serve
612 alcoholic beverages to person under 21; penalties.-

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613 (1) (a) ~~1.~~ A person may not sell, give, serve, or permit to
614 be served alcoholic beverages to a person under 21 years of age
615 or permit a person under 21 years of age to consume such
616 beverages on the licensed premises. A person who violates this
617 subparagraph commits a misdemeanor of the second degree,
618 punishable as provided in s. 775.082 or s. 775.083. A person who
619 violates this subparagraph a second or subsequent time within 1
620 year after a prior conviction commits a misdemeanor of the first
621 degree, punishable as provided in s. 775.082 or s. 775.083.

622 ~~2. In addition to any other penalty imposed for a violation~~
623 ~~of subparagraph 1., the court may order the Department of~~
624 ~~Highway Safety and Motor Vehicles to withhold the issuance of,~~
625 ~~or suspend or revoke, the driver license or driving privilege,~~
626 ~~as provided in s. 322.057, of any person who violates~~
627 ~~subparagraph 1. This subparagraph does not apply to a licensee,~~
628 ~~as defined in s. 561.01, who violates subparagraph 1. while~~
629 ~~acting within the scope of his or her license or an employee or~~
630 ~~agent of a licensee, as defined in s. 561.01, who violates~~
631 ~~subparagraph 1. while engaged within the scope of his or her~~
632 ~~employment or agency.~~

633 ~~3. A court that withholds the issuance of, or suspends or~~
634 ~~revokes, the driver license or driving privilege of a person~~
635 ~~pursuant to subparagraph 2. may direct the Department of Highway~~
636 ~~Safety and Motor Vehicles to issue the person a license for~~
637 ~~driving privilege restricted to business purposes only, as~~
638 ~~defined in s. 322.271, if he or she is otherwise qualified.~~

639 Section 16. Subsection (3) of section 562.111, Florida
640 Statutes, is repealed.

641 Section 17. Subsections (1), (2), and (5) of section

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642 569.11, Florida Statutes, are amended to read:

643 569.11 Possession, misrepresenting age or military service
644 to purchase, and purchase of tobacco products by persons under
645 18 years of age prohibited; penalties; jurisdiction; disposition
646 of fines.—

647 (1) It is unlawful for any person under 18 years of age to
648 knowingly possess any tobacco product. Any person under 18 years
649 of age who violates the provisions of this subsection commits a
650 noncriminal violation as provided in s. 775.08(3), punishable
651 by:

652 (a) For a first violation, 16 hours of community service
653 or, instead of community service, a \$25 fine. In addition, the
654 person must attend a school-approved anti-tobacco program, if
655 locally available; or

656 (b) For a second or subsequent violation within 12 weeks of
657 the first violation, a \$25 fine. ~~;~~ ~~or~~

658 ~~(c) For a third or subsequent violation within 12 weeks of~~
659 ~~the first violation, the court must direct the Department of~~
660 ~~Highway Safety and Motor Vehicles to withhold issuance of or~~
661 ~~suspend or revoke the person's driver license or driving~~
662 ~~privilege, as provided in s. 322.056.~~

663

664 Any second or subsequent violation not within the 12-week time
665 period after the first violation is punishable as provided for a
666 first violation.

667 (2) It is unlawful for any person under 18 years of age to
668 misrepresent his or her age or military service for the purpose
669 of inducing a dealer or an agent or employee of the dealer to
670 sell, give, barter, furnish, or deliver any tobacco product, or

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671 to purchase, or attempt to purchase, any tobacco product from a
672 person or a vending machine. Any person under 18 years of age
673 who violates a provision of this subsection commits a
674 noncriminal violation as provided in s. 775.08(3), punishable
675 by:

676 (a) For a first violation, 16 hours of community service
677 or, instead of community service, a \$25 fine and, in addition,
678 the person must attend a school-approved anti-tobacco program,
679 if available; or

680 (b) For a second or subsequent violation within 12 weeks of
681 the first violation, a \$25 fine. ~~or~~

682 ~~(c) For a third or subsequent violation within 12 weeks of~~
683 ~~the first violation, the court must direct the Department of~~
684 ~~Highway Safety and Motor Vehicles to withhold issuance of or~~
685 ~~suspend or revoke the person's driver license or driving~~
686 ~~privilege, as provided in s. 322.056.~~

687
688 Any second or subsequent violation not within the 12-week time
689 period after the first violation is punishable as provided for a
690 first violation.

691 (5) (a) If a person under 18 years of age is found by the
692 court to have committed a noncriminal violation under this
693 section and that person has failed to complete community
694 service, pay the fine as required by paragraph (1) (a) or
695 paragraph (2) (a), or attend a school-approved anti-tobacco
696 program, if locally available, the court may ~~must~~ direct the
697 Department of Highway Safety and Motor Vehicles to withhold
698 issuance of or suspend the driver license or driving privilege
699 of that person for a period of 30 consecutive days.

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700 (b) If a person under 18 years of age is found by the court
701 to have committed a noncriminal violation under this section and
702 that person has failed to pay the applicable fine as required by
703 paragraph (1)(b) or paragraph (2)(b), the court may ~~must~~ direct
704 the Department of Highway Safety and Motor Vehicles to withhold
705 issuance of or suspend the driver license or driving privilege
706 of that person for a period of 45 consecutive days.

707 Section 18. Subsections (5) and (10) of section 790.22,
708 Florida Statutes, are amended to read:

709 790.22 Use of BB guns, air or gas-operated guns, or
710 electric weapons or devices by minor under 16; limitation;
711 possession of firearms by minor under 18 prohibited; penalties.-

712 (5) (a) A minor who violates subsection (3) commits a
713 misdemeanor of the first degree; for a first offense, may serve
714 a period of detention of up to 3 days in a secure detention
715 facility; and, in addition to any other penalty provided by law,
716 shall be required to perform 100 hours of community service. †
717 ~~and:~~

718 ~~1. If the minor is eligible by reason of age for a driver~~
719 ~~license or driving privilege, the court shall direct the~~
720 ~~Department of Highway Safety and Motor Vehicles to revoke or to~~
721 ~~withhold issuance of the minor's driver license or driving~~
722 ~~privilege for up to 1 year.~~

723 ~~2. If the minor's driver license or driving privilege is~~
724 ~~under suspension or revocation for any reason, the court shall~~
725 ~~direct the Department of Highway Safety and Motor Vehicles to~~
726 ~~extend the period of suspension or revocation by an additional~~
727 ~~period of up to 1 year.~~

728 ~~3. If the minor is ineligible by reason of age for a driver~~

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729 ~~license or driving privilege, the court shall direct the~~
730 ~~Department of Highway Safety and Motor Vehicles to withhold~~
731 ~~issuance of the minor's driver license or driving privilege for~~
732 ~~up to 1 year after the date on which the minor would otherwise~~
733 ~~have become eligible.~~

734 (b) For a second or subsequent offense, a minor who
735 violates subsection (3) commits a felony of the third degree and
736 shall serve a period of detention of up to 15 days in a secure
737 detention facility and shall be required to perform not less
738 than 100 ~~or not~~ more than 250 hours of community service.7 ~~and:~~

739 ~~1. If the minor is eligible by reason of age for a driver~~
740 ~~license or driving privilege, the court shall direct the~~
741 ~~Department of Highway Safety and Motor Vehicles to revoke or to~~
742 ~~withhold issuance of the minor's driver license or driving~~
743 ~~privilege for up to 2 years.~~

744 ~~2. If the minor's driver license or driving privilege is~~
745 ~~under suspension or revocation for any reason, the court shall~~
746 ~~direct the Department of Highway Safety and Motor Vehicles to~~
747 ~~extend the period of suspension or revocation by an additional~~
748 ~~period of up to 2 years.~~

749 ~~3. If the minor is ineligible by reason of age for a driver~~
750 ~~license or driving privilege, the court shall direct the~~
751 ~~Department of Highway Safety and Motor Vehicles to withhold~~
752 ~~issuance of the minor's driver license or driving privilege for~~
753 ~~up to 2 years after the date on which the minor would otherwise~~
754 ~~have become eligible.~~

755
756 For the purposes of this subsection, community service shall be
757 performed, if possible, in a manner involving a hospital

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758 emergency room or other medical environment that deals on a
759 regular basis with trauma patients and gunshot wounds.

760 ~~(10) If a minor is found to have committed an offense under~~
761 ~~subsection (9), the court shall impose the following penalties~~
762 ~~in addition to any penalty imposed under paragraph (9) (a) or~~
763 ~~paragraph (9) (b):~~

764 ~~(a) For a first offense:~~

765 ~~1. If the minor is eligible by reason of age for a driver~~
766 ~~license or driving privilege, the court shall direct the~~
767 ~~Department of Highway Safety and Motor Vehicles to revoke or to~~
768 ~~withhold issuance of the minor's driver license or driving~~
769 ~~privilege for up to 1 year.~~

770 ~~2. If the minor's driver license or driving privilege is~~
771 ~~under suspension or revocation for any reason, the court shall~~
772 ~~direct the Department of Highway Safety and Motor Vehicles to~~
773 ~~extend the period of suspension or revocation by an additional~~
774 ~~period for up to 1 year.~~

775 ~~3. If the minor is ineligible by reason of age for a driver~~
776 ~~license or driving privilege, the court shall direct the~~
777 ~~Department of Highway Safety and Motor Vehicles to withhold~~
778 ~~issuance of the minor's driver license or driving privilege for~~
779 ~~up to 1 year after the date on which the minor would otherwise~~
780 ~~have become eligible.~~

781 ~~(b) For a second or subsequent offense:~~

782 ~~1. If the minor is eligible by reason of age for a driver~~
783 ~~license or driving privilege, the court shall direct the~~
784 ~~Department of Highway Safety and Motor Vehicles to revoke or to~~
785 ~~withhold issuance of the minor's driver license or driving~~
786 ~~privilege for up to 2 years.~~

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787 ~~2. If the minor's driver license or driving privilege is~~
788 ~~under suspension or revocation for any reason, the court shall~~
789 ~~direct the Department of Highway Safety and Motor Vehicles to~~
790 ~~extend the period of suspension or revocation by an additional~~
791 ~~period for up to 2 years.~~

792 ~~3. If the minor is ineligible by reason of age for a driver~~
793 ~~license or driving privilege, the court shall direct the~~
794 ~~Department of Highway Safety and Motor Vehicles to withhold~~
795 ~~issuance of the minor's driver license or driving privilege for~~
796 ~~up to 2 years after the date on which the minor would otherwise~~
797 ~~have become eligible.~~

798 Section 19. Subsections (7) and (8) of section 806.13,
799 Florida Statutes, are amended, and present subsection (9) of
800 that section is redesignated as subsection (7), to read:

801 806.13 Criminal mischief; penalties; penalty for minor.—

802 ~~(7) In addition to any other penalty provided by law, if a~~
803 ~~minor is found to have committed a delinquent act under this~~
804 ~~section for placing graffiti on any public property or private~~
805 ~~property, and:~~

806 ~~(a) The minor is eligible by reason of age for a driver~~
807 ~~license or driving privilege, the court shall direct the~~
808 ~~Department of Highway Safety and Motor Vehicles to revoke or~~
809 ~~withhold issuance of the minor's driver license or driving~~
810 ~~privilege for not more than 1 year.~~

811 ~~(b) The minor's driver license or driving privilege is~~
812 ~~under suspension or revocation for any reason, the court shall~~
813 ~~direct the Department of Highway Safety and Motor Vehicles to~~
814 ~~extend the period of suspension or revocation by an additional~~
815 ~~period of not more than 1 year.~~

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816 ~~(c) The minor is ineligible by reason of age for a driver~~
817 ~~license or driving privilege, the court shall direct the~~
818 ~~Department of Highway Safety and Motor Vehicles to withhold~~
819 ~~issuance of the minor's driver license or driving privilege for~~
820 ~~not more than 1 year after the date on which he or she would~~
821 ~~otherwise have become eligible.~~

822 ~~(8) A minor whose driver license or driving privilege is~~
823 ~~revoked, suspended, or withheld under subsection (7) may elect~~
824 ~~to reduce the period of revocation, suspension, or withholding~~
825 ~~by performing community service at the rate of 1 day for each~~
826 ~~hour of community service performed. In addition, if the court~~
827 ~~determines that due to a family hardship, the minor's driver~~
828 ~~license or driving privilege is necessary for employment or~~
829 ~~medical purposes of the minor or a member of the minor's family,~~
830 ~~the court shall order the minor to perform community service and~~
831 ~~reduce the period of revocation, suspension, or withholding at~~
832 ~~the rate of 1 day for each hour of community service performed.~~
833 ~~As used in this subsection, the term "community service" means~~
834 ~~cleaning graffiti from public property.~~

835 Section 20. Section 812.0155, Florida Statutes, is
836 repealed.

837 Section 21. Section 832.09, Florida Statutes, is repealed.

838 Section 22. Subsections (6) and (7) and paragraphs (c) and
839 (d) of subsection (8) of section 877.112, Florida Statutes, are
840 amended to read:

841 877.112 Nicotine products and nicotine dispensing devices;
842 prohibitions for minors; penalties; civil fines; signage
843 requirements; preemption.—

844 (6) PROHIBITIONS ON POSSESSION OF NICOTINE PRODUCTS OR

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845 NICOTINE DISPENSING DEVICES BY MINORS.—It is unlawful for any
846 person under 18 years of age to knowingly possess any nicotine
847 product or a nicotine dispensing device. Any person under 18
848 years of age who violates this subsection commits a noncriminal
849 violation as defined in s. 775.08(3), punishable by:

850 (a) For a first violation, 16 hours of community service
851 or, instead of community service, a \$25 fine. In addition, the
852 person must attend a school-approved anti-tobacco and nicotine
853 program, if locally available; or

854 (b) For a second or subsequent violation within 12 weeks of
855 the first violation, a \$25 fine. ~~or~~

856 ~~(c) For a third or subsequent violation within 12 weeks of~~
857 ~~the first violation, the court must direct the Department of~~
858 ~~Highway Safety and Motor Vehicles to withhold issuance of or~~
859 ~~suspend or revoke the person's driver license or driving~~
860 ~~privilege, as provided in s. 322.056.~~

861
862 Any second or subsequent violation not within the 12-week time
863 period after the first violation is punishable as provided for a
864 first violation.

865 (7) PROHIBITION ON MISREPRESENTING AGE.—It is unlawful for
866 any person under 18 years of age to misrepresent his or her age
867 or military service for the purpose of inducing a retailer of
868 nicotine products or nicotine dispensing devices or an agent or
869 employee of such retailer to sell, give, barter, furnish, or
870 deliver any nicotine product or nicotine dispensing device, or
871 to purchase, or attempt to purchase, any nicotine product or
872 nicotine dispensing device from a person or a vending machine.
873 Any person under 18 years of age who violates this subsection

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874 commits a noncriminal violation as defined in s. 775.08(3),
875 punishable by:

876 (a) For a first violation, 16 hours of community service
877 or, instead of community service, a \$25 fine and, in addition,
878 the person must attend a school-approved anti-tobacco and
879 nicotine program, if available; or

880 (b) For a second or subsequent violation within 12 weeks of
881 the first violation, a \$25 fine. ~~;~~ ~~or~~

882 ~~(c) For a third or subsequent violation within 12 weeks of~~
883 ~~the first violation, the court must direct the Department of~~
884 ~~Highway Safety and Motor Vehicles to withhold issuance of or~~
885 ~~suspend or revoke the person's driver license or driving~~
886 ~~privilege, as provided in s. 322.056.~~

887
888 Any second or subsequent violation not within the 12-week time
889 period after the first violation is punishable as provided for a
890 first violation.

891 (8) PENALTIES FOR MINORS.—

892 (c) If a person under 18 years of age is found by the court
893 to have committed a noncriminal violation under this section and
894 that person has failed to complete community service, pay the
895 fine as required by paragraph (6) (a) or paragraph (7) (a), or
896 attend a school-approved anti-tobacco and nicotine program, if
897 locally available, the court may ~~must~~ direct the Department of
898 Highway Safety and Motor Vehicles to withhold issuance of or
899 suspend the driver license or driving privilege of that person
900 for 30 consecutive days.

901 (d) If a person under 18 years of age is found by the court
902 to have committed a noncriminal violation under this section and

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903 that person has failed to pay the applicable fine as required by
904 paragraph (6)(b) or paragraph (7)(b), the court may ~~must~~ direct
905 the Department of Highway Safety and Motor Vehicles to withhold
906 issuance of or suspend the driver license or driving privilege
907 of that person for 45 consecutive days.

908 Section 23. Subsection (2) of section 938.30, Florida
909 Statutes, is amended to read:

910 938.30 Financial obligations in criminal cases;
911 supplementary proceedings.—

912 (2) The court may require a person liable for payment of an
913 obligation to appear and be examined under oath concerning the
914 person's financial ability to pay the obligation. The judge may
915 convert the statutory financial obligation into a court-ordered
916 obligation to perform community service, subject to the
917 provisions of s. 318.18(8), after examining a person under oath
918 and determining the person's inability to pay, or by reliance
919 upon information provided under s. 27.52(1)(a)6. Any person who
920 fails to attend a hearing may be arrested on warrant or capias
921 issued by the clerk upon order of the court.

922 Section 24. Subsection (2) of section 1003.27, Florida
923 Statutes, is amended to read:

924 1003.27 Court procedure and penalties.—The court procedure
925 and penalties for the enforcement of the provisions of this
926 part, relating to compulsory school attendance, shall be as
927 follows:

928 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

929 ~~(a)~~ In each case of nonenrollment or of nonattendance upon
930 the part of a student who is required to attend some school,
931 when no valid reason for such nonenrollment or nonattendance is

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932 found, the district school superintendent shall institute a
933 criminal prosecution against the student's parent.

934 ~~(b) Each public school principal or the principal's~~
935 ~~designee shall notify the district school board of each minor~~
936 ~~student under its jurisdiction who accumulates 15 unexcused~~
937 ~~absences in a period of 90 calendar days. Each designee of the~~
938 ~~governing body of each private school, and each parent whose~~
939 ~~child is enrolled in a home education program, may provide the~~
940 ~~Department of Highway Safety and Motor Vehicles with the legal~~
941 ~~name, sex, date of birth, and social security number of each~~
942 ~~minor student under his or her jurisdiction who fails to satisfy~~
943 ~~relevant attendance requirements and who fails to otherwise~~
944 ~~satisfy the requirements of s. 322.091. The district school~~
945 ~~superintendent must provide the Department of Highway Safety and~~
946 ~~Motor Vehicles the legal name, sex, date of birth, and social~~
947 ~~security number of each minor student who has been reported~~
948 ~~under this paragraph and who fails to otherwise satisfy the~~
949 ~~requirements of s. 322.091. The Department of Highway Safety and~~
950 ~~Motor Vehicles may not issue a driver license or learner's~~
951 ~~driver license to, and shall suspend any previously issued~~
952 ~~driver license or learner's driver license of, any such minor~~
953 ~~student, pursuant to the provisions of s. 322.091.~~

954 Section 25. Paragraph (a) of subsection (10) of section
955 318.14, Florida Statutes, is amended to read:

956 318.14 Noncriminal traffic infractions; exception;
957 procedures.—

958 (10) (a) Any person who does not hold a commercial driver
959 license or commercial learner's permit and who is cited while
960 driving a noncommercial motor vehicle for an offense listed

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961 under this subsection may, in lieu of payment of fine or court
962 appearance, elect to enter a plea of nolo contendere and provide
963 proof of compliance to the clerk of the court, designated
964 official, or authorized operator of a traffic violations bureau.
965 In such case, adjudication shall be withheld; however, a person
966 may not make an election under this subsection if the person has
967 made an election under this subsection in the preceding 12
968 months. A person may not make more than three elections under
969 this subsection. This subsection applies to the following
970 offenses:

971 1. Operating a motor vehicle without a valid driver license
972 in violation of s. 322.03, s. 322.065, or s. 322.15(1), or
973 operating a motor vehicle with a license that has been suspended
974 for failure to appear, failure to pay civil penalty, or failure
975 to attend a driver improvement course pursuant to s. 322.291.

976 2. Operating a motor vehicle without a valid registration
977 in violation of s. 320.0605, s. 320.07, or s. 320.131.

978 3. Operating a motor vehicle in violation of s. 316.646.

979 4. Operating a motor vehicle with a license that has been
980 suspended under s. 61.13016 or s. 322.245 for failure to pay
981 child support or for failure to pay any other financial
982 obligation as provided in s. 322.245; however, this subparagraph
983 does not apply if the license has been suspended pursuant to s.
984 322.245(1).

985 ~~5. Operating a motor vehicle with a license that has been~~
986 ~~suspended under s. 322.091 for failure to meet school attendance~~
987 ~~requirements.~~

988 Section 26. Subsections (1) and (2) of section 322.05,
989 Florida Statutes, are amended to read:

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990 322.05 Persons not to be licensed.—The department may not
991 issue a license:

992 (1) To a person who is under the age of 16 years, except
993 that the department may issue a learner's driver license to a
994 person who is at least 15 years of age and who meets the
995 requirements of s. 322.1615 ~~ss. 322.091 and 322.1615~~ and of any
996 other applicable law or rule.

997 (2) To a person who is at least 16 years of age but is
998 under 18 years of age ~~unless the person meets the requirements~~
999 ~~of s. 322.091~~ and holds a valid:

1000 (a) Learner's driver license for at least 12 months, with
1001 no moving traffic convictions, before applying for a license;

1002 (b) Learner's driver license for at least 12 months and who
1003 has a moving traffic conviction but elects to attend a traffic
1004 driving school for which adjudication must be withheld pursuant
1005 to s. 318.14; or

1006 (c) License that was issued in another state or in a
1007 foreign jurisdiction and that would not be subject to suspension
1008 or revocation under the laws of this state.

1009 Section 27. Paragraph (i) of subsection (2) of section
1010 397.951, Florida Statutes, is amended to read:

1011 397.951 Treatment and sanctions.—The Legislature recognizes
1012 that the integration of treatment and sanctions greatly
1013 increases the effectiveness of substance abuse treatment. It is
1014 the responsibility of the department and the substance abuse
1015 treatment provider to employ the full measure of sanctions
1016 available to require participation and completion of treatment
1017 to ensure successful outcomes for children in substance abuse
1018 treatment.

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1019 (2) The department shall ensure that substance abuse
1020 treatment providers employ any and all appropriate available
1021 sanctions necessary to engage, motivate, and maintain a child in
1022 treatment, including, but not limited to, provisions in law
1023 that:

1024 (i) Provide that, pursuant to s. 322.056, for any person
1025 under 18 years of age who is found guilty of or delinquent for a
1026 violation of ~~s. 562.11(2), s. 562.111, or~~ chapter 893, and is
1027 eligible by reason of age for a driver license or driving
1028 privilege, the court shall direct the Department of Highway
1029 Safety and Motor Vehicles to revoke or to withhold issuance of
1030 his or her driver license or driving privilege for a period of 6
1031 months.÷

1032 ~~1. Not less than 6 months and not more than 1 year for the~~
1033 ~~first violation.~~

1034 ~~2. Two years, for a subsequent violation.~~

1035 Section 28. Subsection (9) of section 1003.01, Florida
1036 Statutes, is amended to read:

1037 1003.01 Definitions.—As used in this chapter, the term:

1038 (9) "Dropout" means a student who meets any one or more of
1039 the following criteria:

1040 (a) The student has voluntarily removed himself or herself
1041 from the school system before graduation for reasons that
1042 include, but are not limited to, marriage, or the student has
1043 withdrawn from school because he or she has failed the statewide
1044 student assessment test and thereby does not receive any of the
1045 certificates of completion;

1046 (b) The student has not met the relevant attendance
1047 requirements of the school district pursuant to State Board of

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1048 Education rules, or the student was expected to attend a school
1049 but did not enter as expected for unknown reasons, or the
1050 student's whereabouts are unknown;

1051 (c) The student has withdrawn from school, but has not
1052 transferred to another public or private school or enrolled in
1053 any career, adult, home education, or alternative educational
1054 program;

1055 (d) The student has withdrawn from school due to hardship,
1056 unless such withdrawal has been granted under ~~the provisions of~~
1057 ~~s. 322.091~~, court action, expulsion, medical reasons, or
1058 pregnancy; or

1059 (e) The student is not eligible to attend school because of
1060 reaching the maximum age for an exceptional student program in
1061 accordance with the district's policy.

1062

1063 The State Board of Education may adopt rules to implement ~~the~~
1064 ~~provisions of~~ this subsection.

1065 Section 29. The amendment made by this act to s. 316.650,
1066 Florida Statutes, shall apply upon the creation of new inventory
1067 of uniform traffic citation forms.

1068 Section 30. This act shall take effect October 1, 2016.