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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Criminal and Civil Justice)

A bill to be entitled

An act relating to penalties and fees; amending s.
27.52, F.S.; adding a financial information
requirement for a certain application form; amending
s. 28.246, F.S.; revising requirements relating to the
payment of court-related fines or other monetary
penalties, fees, charges, and costs; requiring a clerk
of court to solicit competitive bids from private
attorneys or collection agents for collection
services, subject to certain requirements; prohibiting
the clerk from assessing a certain surcharge;
prohibiting the collection agency or private attorney
from imposing certain additional fees or surcharges;
amending s. 316.650, F.S.; requiring traffic citation
forms to include certain language relating to payment
of a penalty; amending s. 318.15, F.S.; prohibiting
the suspension of a person's driver license solely for
failure to pay a penalty if the person requests a
hearing and demonstrates to the court, after notice of
the penalty and before the suspension takes place,
that the person is unable to pay the penalty; amending
s. 318.18, F.S.; requiring a court to inquire at the
time a certain civil penalty is ordered whether the
person is able to pay it; amending s. 322.055, F.S.;
decreasing the period for revocation or suspension of,
or delay of eligibility for, driver licenses or
driving privileges for certain persons convicted of



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28 certain drug offenses; deleting provisions authorizing
29 a driver to petition the Department of Highway Safety
30 and Motor Vehicles for restoration of his or her
31 driving privilege; amending s. 322.056, F.S.;
32 decreasing the period for revocation or suspension of,
33 or delay of eligibility for, driver licenses or
34 driving privileges for certain persons found guilty of
35 certain drug offenses; deleting a provision
36 authorizing a court to direct the department to issue
37 a license for certain restricted driving privileges
38 under certain circumstances; deleting requirements
39 relating to the revocation or suspension of, or delay
40 of eligibility for, driver licenses or driving
41 privileges for certain persons found guilty of certain
42 alcohol or tobacco offenses; repealing s. 322.057,
43 F.S., relating to discretionary revocation or
44 suspension of a driver license for certain persons who
45 provide alcohol to persons under a specified age;
46 amending s. 322.09, F.S.; deleting a provision
47 prohibiting the issuance of a driver license or
48 learner's driver license under certain circumstances;
49 repealing s. 322.091, F.S., relating to attendance
50 requirements for driving privileges; amending s.
51 322.245, F.S.; prohibiting the suspension of a
52 person's driver license solely for a failure to pay a
53 penalty if the person requests a hearing and
54 demonstrates to the court, after notice of the penalty
55 and before the suspension takes place, that the person
56 is unable to pay the penalty; repealing s. 322.251(7),



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



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



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115 upon specified information under certain
116 circumstances; amending s. 1003.27, F.S.; deleting
117 provisions relating to procedures and penalties for
118 nonenrollment and nonattendance cases; amending ss.
119 318.14, 322.05, 322.27, and 1003.01, F.S.; conforming
120 provisions to changes made by the act; providing
121 applicability; providing an effective date.
122

123 Be It Enacted by the Legislature of the State of Florida:
124

125 Section 1. Paragraph (a) of subsection (1) of section
126 27.52, Florida Statutes, is amended to read:

127 27.52 Determination of indigent status.—

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

134 (a) The application must include, at a minimum, the
135 following financial information:

136 1. Net income, consisting of total salary and wages, minus
137 deductions required by law, including court-ordered support
138 payments.

139 2. Other income, including, but not limited to, social
140 security benefits, union funds, veterans' benefits, workers'
141 compensation, other regular support from absent family members,
142 public or private employee pensions, reemployment assistance or
143 unemployment compensation, dividends, interest, rent, trusts,



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144 and gifts.

145 3. Assets, including, but not limited to, cash, savings
146 accounts, bank accounts, stocks, bonds, certificates of deposit,
147 equity in real estate, and equity in a boat or a motor vehicle
148 or in other tangible property.

149 4. All liabilities and debts.

150 5. If applicable, the amount of any bail paid for the
151 applicant's release from incarceration and the source of the
152 funds.

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

156

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

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

165 28.246 Payment of court-related fines or other monetary
166 penalties, fees, charges, and costs; partial payments;
167 distribution of funds.—

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



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

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

196 (b) In retaining a private attorney or collection agent as
197 provided in this subsection, the clerk shall solicit competitive
198 bids from private attorneys or collection agents. The contract
199 awarded to the successful bidder may be in effect for no longer
200 than 3 years, with a maximum of two 1-year extensions.

201 (c) The clerk shall consider all pertinent criteria when



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202 considering bids, including, but not limited to, performance
203 quality and customer service. The collection fee paid to the
204 private attorney or collection agent, including any reasonable
205 attorney's fee, paid to any attorney or collection agent
206 retained by the clerk may be added to the balance owed in an
207 amount not to exceed 40 percent of the amount owed at the time
208 the account is referred to the attorney or agent for collection.

209 (d) The clerk may not assess any surcharge to refer the
210 account to a private attorney or an agent for collection.

211 (e) The private attorney or collection agent may not impose
212 any additional fees or surcharges other than the contractually
213 agreed-upon amounts.

214 (f) The clerk shall give the private attorney or collection
215 agent the application for the appointment of court-appointed
216 counsel regardless of whether the court file is otherwise
217 confidential from disclosure.

218 Section 3. Present paragraphs (b), (c), and (d) of
219 subsection (1) of section 316.650, Florida Statutes, are
220 redesignated as paragraphs (c), (d), and (e), respectively, a
221 new paragraph (b) is added to that subsection, and present
222 paragraph (c) of that subsection is amended, to read:

223 316.650 Traffic citations.—

224 (1)

225 (b) The traffic citation form must include language
226 indicating that a person may enter into a payment plan with the
227 clerk of court to pay a penalty. The form must also indicate
228 that a person ordered to pay a penalty for a noncriminal traffic
229 infraction and who is unable to comply due to demonstrable
230 financial hardship will be allowed by the court to satisfy the



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231 payment by participating in community service pursuant to s.
232 318.18(8)(b).

233 (d)~~(e)~~ Notwithstanding paragraphs (a) and (c) ~~(b)~~, a
234 traffic enforcement agency may produce uniform traffic citations
235 by electronic means. Such citations must be consistent with the
236 state traffic court rules and the procedures established by the
237 department and must be appropriately numbered and inventoried.
238 Affidavit-of-compliance forms may also be produced by electronic
239 means.

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

242 318.15 Failure to comply with civil penalty or to appear;
243 penalty.—

244 (4) Notwithstanding any other law, a person's driver
245 license may not be suspended solely for a failure to pay a
246 penalty if the person requests a hearing and demonstrates to the
247 court, after notice of the penalty and before the suspension
248 takes place, that the person is unable to pay the penalty.

249 Section 5. Paragraph (b) of subsection (8) of section
250 318.18, Florida Statutes, is amended to read:

251 318.18 Amount of penalties.—The penalties required for a
252 noncriminal disposition pursuant to s. 318.14 or a criminal
253 offense listed in s. 318.17 are as follows:

254 (8)

255 (b)1.a. If a person has been ordered to pay a civil penalty
256 for a noncriminal traffic infraction and the person is unable to
257 comply with the court's order due to demonstrable financial
258 hardship, the court shall allow the person to satisfy the civil
259 penalty by participating in community service until the civil



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260 penalty is paid.

261 b. The court shall inquire at the time the civil penalty is
262 ordered whether the person is able to pay it.

263 c. If a court orders a person to perform community service,
264 the person shall receive credit for the civil penalty at the
265 specified hourly credit rate per hour of community service
266 performed, and each hour of community service performed shall
267 reduce the civil penalty by that amount.

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

274 b. However, if a person ordered to perform community
275 service has a trade or profession for which there is a community
276 service need, the specified hourly credit rate for each hour of
277 community service performed by that person shall be the average
278 prevailing wage rate for the trade or profession that the
279 community service agency needs.

280 3.a. The community service agency supervising the person
281 shall record the number of hours of community service completed
282 and the date the community service hours were completed. The
283 community service agency shall submit the data to the clerk of
284 court on the letterhead of the community service agency, which
285 must also bear the notarized signature of the person designated
286 to represent the community service agency.

287 b. When the number of community service hours completed by
288 the person equals the amount of the civil penalty, the clerk of



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289 court shall certify this fact to the court. Thereafter, the
290 clerk of court shall record in the case file that the civil
291 penalty has been paid in full.

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

293 a. "Community service" means uncompensated labor for a
294 community service agency.

295 b. "Community service agency" means a not-for-profit
296 corporation, community organization, charitable organization,
297 public officer, the state or any political subdivision of the
298 state, or any other body the purpose of which is to improve the
299 quality of life or social welfare of the community and which
300 agrees to accept community service from persons unable to pay
301 civil penalties for noncriminal traffic infractions.

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

304 322.055 Revocation or suspension of, or delay of
305 eligibility for, driver license for persons 18 years of age or
306 older convicted of certain drug offenses.—

307 (1) Notwithstanding s. 322.28, upon the conviction of a
308 person 18 years of age or older for possession or sale of,
309 trafficking in, or conspiracy to possess, sell, or traffic in a
310 controlled substance, the court shall direct the department to
311 revoke the driver license or driving privilege of the person.
312 The period of such revocation shall be 6 months ~~1-year~~ or until
313 the person is evaluated for and, if deemed necessary by the
314 evaluating agency, completes a drug treatment and rehabilitation
315 program approved or regulated by the Department of Children and
316 Families. However, the court may, in its sound discretion,
317 direct the department to issue a license for driving privilege



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318 restricted to business or employment purposes only, as defined
319 by s. 322.271, if the person is otherwise qualified for such a
320 license. ~~A driver whose license or driving privilege has been~~
321 ~~suspended or revoked under this section or s. 322.056 may, upon~~
322 ~~the expiration of 6 months, petition the department for~~
323 ~~restoration of the driving privilege on a restricted or~~
324 ~~unrestricted basis depending on length of suspension or~~
325 ~~revocation. In no case shall~~ A restricted license may not be
326 available until 6 months of the suspension or revocation period
327 has been completed ~~expired~~.

328 (2) If a person 18 years of age or older is convicted for
329 the possession or sale of, trafficking in, or conspiracy to
330 possess, sell, or traffic in a controlled substance and such
331 person is eligible by reason of age for a driver license or
332 privilege, the court shall direct the department to withhold
333 issuance of such person's driver license or driving privilege
334 for a period of 6 months ~~1 year~~ after the date the person was
335 convicted or until the person is evaluated for and, if deemed
336 necessary by the evaluating agency, completes a drug treatment
337 and rehabilitation program approved or regulated by the
338 Department of Children and Families. However, the court may, in
339 its sound discretion, direct the department to issue a license
340 for driving privilege restricted to business or employment
341 purposes only, as defined by s. 322.271, if the person is
342 otherwise qualified for such a license. ~~A driver whose license~~
343 ~~or driving privilege has been suspended or revoked under this~~
344 ~~section or s. 322.056 may, upon the expiration of 6 months,~~
345 ~~petition the department for restoration of the driving privilege~~
346 ~~on a restricted or unrestricted basis depending on the length of~~



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347 ~~suspension or revocation. In no case shall~~ A restricted license
348 may not be available until 6 months of the suspension or
349 revocation period has been completed ~~expired.~~

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

372 (4) If a person 18 years of age or older is convicted for
373 the possession or sale of, trafficking in, or conspiracy to
374 possess, sell, or traffic in a controlled substance and such
375 person is ineligible by reason of age for a driver license or



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376 driving privilege, the court shall direct the department to
377 withhold issuance of such person's driver license or driving
378 privilege for a period of 6 months ~~1 year~~ after the date that he
379 or she would otherwise have become eligible or until he or she
380 becomes eligible by reason of age for a driver license and is
381 evaluated for and, if deemed necessary by the evaluating agency,
382 completes a drug treatment and rehabilitation program approved
383 or regulated by the Department of Children and Families.
384 However, the court may, in its sound discretion, direct the
385 department to issue a license for driving privilege restricted
386 to business or employment purposes only, as defined by s.
387 322.271, if the person is otherwise qualified for such a
388 license. ~~A driver whose license or driving privilege has been~~
389 ~~suspended or revoked under this section or s. 322.056 may, upon~~
390 ~~the expiration of 6 months, petition the department for~~
391 ~~restoration of the driving privilege on a restricted or~~
392 ~~unrestricted basis depending on the length of suspension or~~
393 ~~revocation. In no case shall~~ A restricted license may not be
394 available until 6 months of the suspension or revocation period
395 has been completed ~~expired~~.

396 Section 7. Section 322.056, Florida Statutes, is amended to
397 read:

398 322.056 Mandatory revocation or suspension of, or delay of
399 eligibility for, driver license for persons under age 18 found
400 guilty of ~~certain alcohol, drug, or tobacco~~ offenses;
401 prohibition.—

402 (1) Notwithstanding the provisions of s. 322.055, if a
403 person under 18 years of age is found guilty of or delinquent
404 for a violation of ~~s. 562.11(2), s. 562.111, or~~ chapter 893,



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405 and:

406 (a) The person is eligible by reason of age for a driver
407 license or driving privilege, the court shall direct the
408 department to revoke or to withhold issuance of his or her
409 driver license or driving privilege for a period of 6 months.÷

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

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

413 (b) The person's driver license or driving privilege is
414 under suspension or revocation for any reason, the court shall
415 direct the department to extend the period of suspension or
416 revocation by an additional period of 6 months.÷

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

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

420 (c) The person is ineligible by reason of age for a driver
421 license or driving privilege, the court shall direct the
422 department to withhold issuance of his or her driver license or
423 driving privilege for a period of÷

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

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

429
430 ~~However, the court may, in its sound discretion, direct the~~
431 ~~department to issue a license for driving privileges restricted~~
432 ~~to business or employment purposes only, as defined in s.~~
433 ~~322.271, if the person is otherwise qualified for such a~~



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434 ~~license.~~

435 ~~(2) If a person under 18 years of age is found by the court~~
436 ~~to have committed a noncriminal violation under s. 569.11 or s.~~
437 ~~877.112(6) or (7) and that person has failed to comply with the~~
438 ~~procedures established in that section by failing to fulfill~~
439 ~~community service requirements, failing to pay the applicable~~
440 ~~fine, or failing to attend a locally available school-approved~~
441 ~~anti-tobacco program, and:~~

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

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

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

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

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

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

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

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

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



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464 ~~Any second violation of s. 569.11 or s. 877.112(6) or (7) not~~
465 ~~within the 12-week period after the first violation will be~~
466 ~~treated as a first violation and in the same manner as provided~~
467 ~~in this subsection.~~

468 ~~(3) If a person under 18 years of age is found by the court~~
469 ~~to have committed a third violation of s. 569.11 or s.~~
470 ~~877.112(6) or (7) within 12 weeks of the first violation, the~~
471 ~~court must direct the Department of Highway Safety and Motor~~
472 ~~Vehicles to suspend or withhold issuance of his or her driver~~
473 ~~license or driving privilege for 60 consecutive days. Any third~~
474 ~~violation of s. 569.11 or s. 877.112(6) or (7) not within the~~
475 ~~12-week period after the first violation will be treated as a~~
476 ~~first violation and in the same manner as provided in subsection~~
477 ~~(2).~~

478 ~~(2)(4)~~ A penalty imposed under this section shall be in
479 addition to any other penalty imposed by law.

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

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

487 Section 9. Subsection (3) of section 322.09, Florida
488 Statutes, is amended, and present subsections (4) and (5) of
489 that section are redesignated as subsections (3) and (4),
490 respectively, to read:

491 322.09 Application of minors; responsibility for negligence



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492 or misconduct of minor.-

493 ~~(3) The department may not issue a driver license or~~
494 ~~learner's driver license to any applicant under the age of 18~~
495 ~~years who is not in compliance with the requirements of s.~~
496 ~~322.091.~~

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

498 Section 11. Subsection (6) is added to section 322.245,
499 Florida Statutes, to read:

500 322.245 Suspension of license upon failure of person
501 charged with specified offense under chapter 316, chapter 320,
502 or this chapter to comply with directives ordered by traffic
503 court or upon failure to pay child support in non-IV-D cases as
504 provided in chapter 61 or failure to pay any financial
505 obligation in any other criminal case.-

506 (6) Notwithstanding any other law, a person's driver
507 license may not be suspended solely for a failure to pay a
508 penalty if the person requests a hearing and demonstrates to the
509 court, after notice of the penalty and before the suspension
510 takes place, that the person is unable to pay the penalty.

511 Section 12. Subsection (7) of section 322.251, Florida
512 Statutes, is repealed.

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

515 322.271 Authority to modify revocation, cancellation, or
516 suspension order.-

517 (8) A person whose driver license or privilege to drive has
518 been suspended under s. 318.15 or s. 322.245, with the exception
519 of any suspension related to s. 61.13016, may have his or her
520 driver license or driving privilege reinstated on a restricted



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521 basis by the department in accordance with this section. The
522 restricted license shall be valid until the 7-year suspension
523 period ends as provided in s. 318.15 or until the debt is paid.

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

526 322.34 Driving while license suspended, revoked, canceled,
527 or disqualified.-

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

533 1. Failing to pay child support as provided in s. 322.245
534 or s. 61.13016;

535 2. Failing to pay any other financial obligation as
536 provided in s. 322.245 ~~other than those specified in s.~~
537 ~~322.245(1);~~

538 3. Failing to comply with a civil penalty required in s.
539 318.15;

540 4. Failing to maintain vehicular financial responsibility
541 as required by chapter 324; or

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

544 ~~5.6.~~ Having been designated a habitual traffic offender
545 under s. 322.264(1) (d) as a result of suspensions of his or her
546 driver license or driver privilege for any underlying violation
547 listed in subparagraphs 1.-4. ~~1.-5.~~

548 (b)1. Upon a first conviction for knowingly driving while
549 his or her license is suspended, revoked, or canceled for any of



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550 the underlying violations listed in subparagraphs (a)1.-5.
551 ~~(a)1.-6.~~, a person commits a misdemeanor of the second degree,
552 punishable as provided in s. 775.082 or s. 775.083.

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

559 Section 15. Paragraph (a) of subsection (1) and paragraph
560 (c) of subsection (2) of section 562.11, Florida Statutes, are
561 amended to read:

562 562.11 Selling, giving, or serving alcoholic beverages to
563 person under age 21; providing a proper name; misrepresenting or
564 misstating age or age of another to induce licensee to serve
565 alcoholic beverages to person under 21; penalties.—

566 (1) ~~(a)1.~~ A person may not sell, give, serve, or permit to
567 be served alcoholic beverages to a person under 21 years of age
568 or permit a person under 21 years of age to consume such
569 beverages on the licensed premises. A person who violates this
570 subparagraph commits a misdemeanor of the second degree,
571 punishable as provided in s. 775.082 or s. 775.083. A person who
572 violates this subparagraph a second or subsequent time within 1
573 year after a prior conviction commits a misdemeanor of the first
574 degree, punishable as provided in s. 775.082 or s. 775.083.

575 ~~2. In addition to any other penalty imposed for a violation~~
576 ~~of subparagraph 1., the court may order the Department of~~
577 ~~Highway Safety and Motor Vehicles to withhold the issuance of,~~
578 ~~or suspend or revoke, the driver license or driving privilege,~~



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579 ~~as provided in s. 322.057, of any person who violates~~
580 ~~subparagraph 1. This subparagraph does not apply to a licensee,~~
581 ~~as defined in s. 561.01, who violates subparagraph 1. while~~
582 ~~acting within the scope of his or her license or an employee or~~
583 ~~agent of a licensee, as defined in s. 561.01, who violates~~
584 ~~subparagraph 1. while engaged within the scope of his or her~~
585 ~~employment or agency.~~

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

592 (2) It is unlawful for any person to misrepresent or
593 misstate his or her age or the age of any other person for the
594 purpose of inducing any licensee or his or her agents or
595 employees to sell, give, serve, or deliver any alcoholic
596 beverages to a person under 21 years of age, or for any person
597 under 21 years of age to purchase or attempt to purchase
598 alcoholic beverages.

599 (c) In addition to any other penalty imposed for a
600 violation of this subsection, if a person uses a driver license
601 or identification card issued by the Department of Highway
602 Safety and Motor Vehicles in violation of this subsection, the
603 court:

604 ~~1. may order the person to participate in public service or~~
605 ~~a community work project for a period not to exceed 40 hours;~~
606 ~~and~~

607 ~~2. Shall direct the Department of Highway Safety and Motor~~



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608 ~~Vehicles to withhold issuance of, or suspend or revoke, the~~
609 ~~person's driver license or driving privilege, as provided in s.~~
610 ~~322.056.~~

611 Section 16. Subsection (3) of section 562.111, Florida
612 Statutes, is repealed.

613 Section 17. Subsections (1), (2), and (5) of section
614 569.11, Florida Statutes, are amended to read:

615 569.11 Possession, misrepresenting age or military service
616 to purchase, and purchase of tobacco products by persons under
617 18 years of age prohibited; penalties; jurisdiction; disposition
618 of fines.—

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

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

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

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

635
636 Any second or subsequent violation not within the 12-week time



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637 period after the first violation is punishable as provided for a
638 first violation.

639 (2) It is unlawful for any person under 18 years of age to
640 misrepresent his or her age or military service for the purpose
641 of inducing a dealer or an agent or employee of the dealer to
642 sell, give, barter, furnish, or deliver any tobacco product, or
643 to purchase, or attempt to purchase, any tobacco product from a
644 person or a vending machine. Any person under 18 years of age
645 who violates a provision of this subsection commits a
646 noncriminal violation as provided in s. 775.08(3), punishable
647 by:

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

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

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

659
660 Any second or subsequent violation not within the 12-week time
661 period after the first violation is punishable as provided for a
662 first violation.

663 (5) (a) If a person under 18 years of age is found by the
664 court to have committed a noncriminal violation under this
665 section and that person has failed to complete community



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666 service, pay the fine as required by paragraph (1) (a) or
667 paragraph (2) (a), or attend a school-approved anti-tobacco
668 program, if locally available, the court may ~~must~~ direct the
669 Department of Highway Safety and Motor Vehicles to withhold
670 issuance of or suspend the driver license or driving privilege
671 of that person for a period of 30 consecutive days.

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

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

681 790.22 Use of BB guns, air or gas-operated guns, or
682 electric weapons or devices by minor under 16; limitation;
683 possession of firearms by minor under 18 prohibited; penalties.-

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

690 ~~1. If the minor is eligible by reason of age for a driver~~
691 ~~license or driving privilege, the court shall direct the~~
692 ~~Department of Highway Safety and Motor Vehicles to revoke or to~~
693 ~~withhold issuance of the minor's driver license or driving~~
694 ~~privilege for up to 1 year.~~



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

700 ~~3. If the minor is ineligible by reason of age for a driver~~
701 ~~license or driving privilege, the court shall direct the~~
702 ~~Department of Highway Safety and Motor Vehicles to withhold~~
703 ~~issuance of the minor's driver license or driving privilege for~~
704 ~~up to 1 year after the date on which the minor would otherwise~~
705 ~~have become eligible.~~

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

711 ~~1. If the minor is eligible by reason of age for a driver~~
712 ~~license or driving privilege, the court shall direct the~~
713 ~~Department of Highway Safety and Motor Vehicles to revoke or to~~
714 ~~withhold issuance of the minor's driver license or driving~~
715 ~~privilege for up to 2 years.~~

716 ~~2. If the minor's driver license or driving privilege is~~
717 ~~under suspension or revocation for any reason, the court shall~~
718 ~~direct the Department of Highway Safety and Motor Vehicles to~~
719 ~~extend the period of suspension or revocation by an additional~~
720 ~~period of up to 2 years.~~

721 ~~3. If the minor is ineligible by reason of age for a driver~~
722 ~~license or driving privilege, the court shall direct the~~
723 ~~Department of Highway Safety and Motor Vehicles to withhold~~



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724 ~~issuance of the minor's driver license or driving privilege for~~
725 ~~up to 2 years after the date on which the minor would otherwise~~
726 ~~have become eligible.~~

727
728 For the purposes of this subsection, community service shall be
729 performed, if possible, in a manner involving a hospital
730 emergency room or other medical environment that deals on a
731 regular basis with trauma patients and gunshot wounds.

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

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

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

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

747 ~~3. If the minor is ineligible by reason of age for a driver~~
748 ~~license or driving privilege, the court shall direct the~~
749 ~~Department of Highway Safety and Motor Vehicles to withhold~~
750 ~~issuance of the minor's driver license or driving privilege for~~
751 ~~up to 1 year after the date on which the minor would otherwise~~
752 ~~have become eligible.~~



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

754 ~~1. If the minor is eligible by reason of age for a driver~~
755 ~~license or driving privilege, the court shall direct the~~
756 ~~Department of Highway Safety and Motor Vehicles to revoke or to~~
757 ~~withhold issuance of the minor's driver license or driving~~
758 ~~privilege for up to 2 years.~~

759 ~~2. If the minor's driver license or driving privilege is~~
760 ~~under suspension or revocation for any reason, the court shall~~
761 ~~direct the Department of Highway Safety and Motor Vehicles to~~
762 ~~extend the period of suspension or revocation by an additional~~
763 ~~period for up to 2 years.~~

764 ~~3. If the minor is ineligible by reason of age for a driver~~
765 ~~license or driving privilege, the court shall direct the~~
766 ~~Department of Highway Safety and Motor Vehicles to withhold~~
767 ~~issuance of the minor's driver license or driving privilege for~~
768 ~~up to 2 years after the date on which the minor would otherwise~~
769 ~~have become eligible.~~

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

773 806.13 Criminal mischief; penalties; penalty for minor.—

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

778 ~~(a) The minor is eligible by reason of age for a driver~~
779 ~~license or driving privilege, the court shall direct the~~
780 ~~Department of Highway Safety and Motor Vehicles to revoke or~~
781 ~~withhold issuance of the minor's driver license or driving~~



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782 ~~privilege for not more than 1 year.~~

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

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

794 ~~(8) A minor whose driver license or driving privilege is~~
795 ~~revoked, suspended, or withheld under subsection (7) may elect~~
796 ~~to reduce the period of revocation, suspension, or withholding~~
797 ~~by performing community service at the rate of 1 day for each~~
798 ~~hour of community service performed. In addition, if the court~~
799 ~~determines that due to a family hardship, the minor's driver~~
800 ~~license or driving privilege is necessary for employment or~~
801 ~~medical purposes of the minor or a member of the minor's family,~~
802 ~~the court shall order the minor to perform community service and~~
803 ~~reduce the period of revocation, suspension, or withholding at~~
804 ~~the rate of 1 day for each hour of community service performed.~~
805 ~~As used in this subsection, the term "community service" means~~
806 ~~cleaning graffiti from public property.~~

807 Section 20. Section 812.0155, Florida Statutes, is
808 repealed.

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

810 Section 22. Subsections (6) and (7) and paragraphs (c) and



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811 (d) of subsection (8) of section 877.112, Florida Statutes, are
812 amended to read:

813 877.112 Nicotine products and nicotine dispensing devices;
814 prohibitions for minors; penalties; civil fines; signage
815 requirements; preemption.—

816 (6) PROHIBITIONS ON POSSESSION OF NICOTINE PRODUCTS OR
817 NICOTINE DISPENSING DEVICES BY MINORS.—It is unlawful for any
818 person under 18 years of age to knowingly possess any nicotine
819 product or a nicotine dispensing device. Any person under 18
820 years of age who violates this subsection commits a noncriminal
821 violation as defined in s. 775.08(3), punishable by:

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

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

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

833
834 Any second or subsequent violation not within the 12-week time
835 period after the first violation is punishable as provided for a
836 first violation.

837 (7) PROHIBITION ON MISREPRESENTING AGE.—It is unlawful for
838 any person under 18 years of age to misrepresent his or her age
839 or military service for the purpose of inducing a retailer of



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840 nicotine products or nicotine dispensing devices or an agent or
841 employee of such retailer to sell, give, barter, furnish, or
842 deliver any nicotine product or nicotine dispensing device, or
843 to purchase, or attempt to purchase, any nicotine product or
844 nicotine dispensing device from a person or a vending machine.
845 Any person under 18 years of age who violates this subsection
846 commits a noncriminal violation as defined in s. 775.08(3),
847 punishable by:

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

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

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

859
860 Any second or subsequent violation not within the 12-week time
861 period after the first violation is punishable as provided for a
862 first violation.

863 (8) PENALTIES FOR MINORS.—

864 (c) If a person under 18 years of age is found by the court
865 to have committed a noncriminal violation under this section and
866 that person has failed to complete community service, pay the
867 fine as required by paragraph (6) (a) or paragraph (7) (a), or
868 attend a school-approved anti-tobacco and nicotine program, if



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869 locally available, the court may ~~must~~ direct the Department of
870 Highway Safety and Motor Vehicles to withhold issuance of or
871 suspend the driver license or driving privilege of that person
872 for 30 consecutive days.

873 (d) If a person under 18 years of age is found by the court
874 to have committed a noncriminal violation under this section and
875 that person has failed to pay the applicable fine as required by
876 paragraph (6) (b) or paragraph (7) (b), the court may ~~must~~ direct
877 the Department of Highway Safety and Motor Vehicles to withhold
878 issuance of or suspend the driver license or driving privilege
879 of that person for 45 consecutive days.

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

882 938.30 Financial obligations in criminal cases;
883 supplementary proceedings.—

884 (2) The court may require a person liable for payment of an
885 obligation to appear and be examined under oath concerning the
886 person's financial ability to pay the obligation. The judge may
887 convert the statutory financial obligation into a court-ordered
888 obligation to perform community service, subject to the
889 provisions of s. 318.18(8), after examining a person under oath
890 and determining the person's inability to pay, or by reliance
891 upon information provided under s. 27.52(1)(a)6. Any person who
892 fails to attend a hearing may be arrested on warrant or capias
893 issued by the clerk upon order of the court.

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

896 1003.27 Court procedure and penalties.—The court procedure
897 and penalties for the enforcement of the provisions of this



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898 part, relating to compulsory school attendance, shall be as
899 follows:

900 (2) NONENROLLMENT AND NONATTENDANCE CASES.—

901 ~~(a)~~ In each case of nonenrollment or of nonattendance upon
902 the part of a student who is required to attend some school,
903 when no valid reason for such nonenrollment or nonattendance is
904 found, the district school superintendent shall institute a
905 criminal prosecution against the student's parent.

906 ~~(b) Each public school principal or the principal's~~
907 ~~designee shall notify the district school board of each minor~~
908 ~~student under its jurisdiction who accumulates 15 unexcused~~
909 ~~absences in a period of 90 calendar days. Each designee of the~~
910 ~~governing body of each private school, and each parent whose~~
911 ~~child is enrolled in a home education program, may provide the~~
912 ~~Department of Highway Safety and Motor Vehicles with the legal~~
913 ~~name, sex, date of birth, and social security number of each~~
914 ~~minor student under his or her jurisdiction who fails to satisfy~~
915 ~~relevant attendance requirements and who fails to otherwise~~
916 ~~satisfy the requirements of s. 322.091. The district school~~
917 ~~superintendent must provide the Department of Highway Safety and~~
918 ~~Motor Vehicles the legal name, sex, date of birth, and social~~
919 ~~security number of each minor student who has been reported~~
920 ~~under this paragraph and who fails to otherwise satisfy the~~
921 ~~requirements of s. 322.091. The Department of Highway Safety and~~
922 ~~Motor Vehicles may not issue a driver license or learner's~~
923 ~~driver license to, and shall suspend any previously issued~~
924 ~~driver license or learner's driver license of, any such minor~~
925 ~~student, pursuant to the provisions of s. 322.091.~~

926 Section 25. Paragraph (a) of subsection (10) of section



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927 318.14, Florida Statutes, is amended to read:

928 318.14 Noncriminal traffic infractions; exception;
929 procedures.—

930 (10) (a) Any person who does not hold a commercial driver
931 license or commercial learner's permit and who is cited while
932 driving a noncommercial motor vehicle for an offense listed
933 under this subsection may, in lieu of payment of fine or court
934 appearance, elect to enter a plea of nolo contendere and provide
935 proof of compliance to the clerk of the court, designated
936 official, or authorized operator of a traffic violations bureau.
937 In such case, adjudication shall be withheld; however, a person
938 may not make an election under this subsection if the person has
939 made an election under this subsection in the preceding 12
940 months. A person may not make more than three elections under
941 this subsection. This subsection applies to the following
942 offenses:

943 1. Operating a motor vehicle without a valid driver license
944 in violation of s. 322.03, s. 322.065, or s. 322.15(1), or
945 operating a motor vehicle with a license that has been suspended
946 for failure to appear, failure to pay civil penalty, or failure
947 to attend a driver improvement course pursuant to s. 322.291.

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

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

951 4. Operating a motor vehicle with a license that has been
952 suspended under s. 61.13016 or s. 322.245 for failure to pay
953 child support or for failure to pay any other financial
954 obligation as provided in s. 322.245; however, this subparagraph
955 does not apply if the license has been suspended pursuant to s.



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956 322.245(1).

957 ~~5. Operating a motor vehicle with a license that has been~~
958 ~~suspended under s. 322.091 for failure to meet school attendance~~
959 ~~requirements.~~

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

962 322.05 Persons not to be licensed.—The department may not
963 issue a license:

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

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

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

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

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

981 Section 27. Paragraph (b) of subsection (5) of section
982 322.27, Florida Statutes, is amended to read:

983 322.27 Authority of department to suspend or revoke driver
984 license or identification card.—



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985 (5)
986 (b) If a person whose driver license has been revoked under
987 paragraph (a) as a result of a third violation of driving a
988 motor vehicle while his or her license is suspended or revoked
989 provides proof of compliance for an offense listed in s.

990 318.14(10)(a)1.-4. ~~318.14(10)(a)1.-5.~~, the clerk of court shall
991 submit an amended disposition to remove the habitual traffic
992 offender designation.

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

995 1003.01 Definitions.—As used in this chapter, the term:

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

998 (a) The student has voluntarily removed himself or herself
999 from the school system before graduation for reasons that
1000 include, but are not limited to, marriage, or the student has
1001 withdrawn from school because he or she has failed the statewide
1002 student assessment test and thereby does not receive any of the
1003 certificates of completion;

1004 (b) The student has not met the relevant attendance
1005 requirements of the school district pursuant to State Board of
1006 Education rules, or the student was expected to attend a school
1007 but did not enter as expected for unknown reasons, or the
1008 student's whereabouts are unknown;

1009 (c) The student has withdrawn from school, but has not
1010 transferred to another public or private school or enrolled in
1011 any career, adult, home education, or alternative educational
1012 program;

1013 (d) The student has withdrawn from school due to hardship,



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1014 unless such withdrawal has been granted because of ~~under the~~
1015 ~~provisions of s. 322.091,~~ court action, expulsion, medical
1016 reasons, or pregnancy; or

1017 (e) The student is not eligible to attend school because of
1018 reaching the maximum age for an exceptional student program in
1019 accordance with the district's policy.

1020

1021 The State Board of Education may adopt rules to implement ~~the~~
1022 ~~provisions of~~ this subsection.

1023 Section 29. The amendment made by this act to s. 316.650,
1024 Florida Statutes, shall apply upon the creation of a new
1025 inventory of uniform traffic citation forms.

1026 Section 30. This act shall take effect October 1, 2017.