

1 A bill to be entitled
2 An act relating to reinstatement of suspended driver
3 licenses; creating s. 322.755, F.S.; creating the
4 Operation Green Light Pilot Program within the
5 Department of Highway Safety and Motor Vehicles to
6 assist certain persons in reinstating suspended driver
7 licenses; requiring administration of the program by
8 clerks of court in certain counties; authorizing
9 collaboration with the Florida Association of Court
10 Clerks and Comptrollers for certain purposes;
11 providing eligibility requirements; prohibiting
12 eligibility under certain circumstances; providing
13 requirements for participation in the program;
14 providing duties of the clerk of court and the
15 department; requiring execution of a written agreement
16 between the clerk of court and a participant;
17 providing agreement requirements; requiring
18 reinstatement of a participant's driving privilege
19 under certain circumstances; requiring the clerk of
20 court to provide certain documentation to a
21 participant; requiring maintenance of certain records;
22 requiring the clerks of court to submit reports to the
23 department; requiring the department to submit a
24 report to the Governor and Legislature; providing an
25 effective date.

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

Section 1. Section 322.755, Florida Statutes, is created to read:

322.755 Operation Green Light Pilot Program.—

(1) There is created within the Department of Highway Safety and Motor Vehicles the Operation Green Light Pilot Program. The purpose of the pilot program is to assist persons whose driver licenses have been suspended and who have unpaid traffic citations or unpaid court costs, fines, or fees in reinstating their suspended driver licenses.

(2) The Operation Green Light Pilot Program shall be administered by the clerks of court in five counties. Each clerk of court may collaborate with the Florida Association of Court Clerks and Comptrollers to promote and develop communications regarding the pilot program.

(3)(a) A person is eligible for driver license reinstatement under the pilot program if his or her license was suspended due to:

- 1. Driving without a valid driver license;
- 2. Driving with a suspended driver license;
- 3. Failing to make a payment on penalties in collection;
- 4. Failing to appear in court for a traffic violation; or
- 5. Failing to comply with any provision of chapter 318 or

51 this chapter.

52 (b) Notwithstanding paragraphs (4) (a)-(c), a person is
 53 eligible for driver license reinstatement under the pilot
 54 program if the period of suspension or revocation has elapsed,
 55 the person has completed any required course or program as
 56 described in paragraph (4)(c), and the person is otherwise
 57 eligible for reinstatement.

58 (4) A person is not eligible for driver license
 59 reinstatement under the pilot program if his or her driver
 60 license is suspended or revoked due to:

61 (a) Failure to fulfill a court-ordered child support
 62 obligation;

63 (b) A violation of s. 316.193;

64 (c) Failure to complete a driver training program, driver
 65 improvement course, or alcohol or substance abuse education or
 66 evaluation program required under s. 316.192, s. 316.193, s.
 67 322.2616, or s. 322.271;

68 (d) A traffic-related felony; or

69 (e) Designation as a habitual traffic offender under s.
 70 322.264.

71 (5) The clerk of court and the Department of Highway
 72 Safety and Motor Vehicles shall verify any information necessary
 73 for driver license reinstatement under the pilot program.

74 (6) (a) In order to participate in the pilot program, a
 75 person must contact the clerk of court, in person or by

76 telephonic or electronic means, and request that the clerk of
77 court, for purposes of reinstating the person's driver license:

78 1. Accept payment in full of all outstanding fees and
79 costs; or

80 2. Establish a payment plan by which the person may submit
81 periodic payments to the clerk of all outstanding fees and costs
82 until such fees and costs are paid in full.

83 (b) Upon receipt of a request under paragraph (a), the
84 clerk of court shall:

85 1. Determine the total amount of fees and costs owed by
86 the person. The person must pay the full license reinstatement
87 fee; however, the clerk may reduce or waive other fees and
88 costs, except those imposed by the court, to facilitate
89 reinstatement.

90 2. Determine whether the department has suspended the
91 person's license for a reason other than nonpayment of such fees
92 or costs, including, but not limited to, those enumerated in
93 paragraphs (4) (b)-(e). If so, the clerk shall inform the person
94 of his or her responsibility to clear all nonmonetary
95 obligations before becoming eligible for driver license
96 reinstatement under the pilot program.

97 3. Except as provided in subparagraph 4., if the person
98 has requested the establishment of a payment plan, establish the
99 amount of a down payment and monthly payments, according to the
100 person's financial ability, to be submitted to the clerk until

HB 1461

2022

101 all outstanding fees and costs are paid in full. A down payment
102 must equal at least 10 percent of the total amount of
103 outstanding fees and costs.

104 4. Determine whether submitting payments under a payment
105 plan will result in the assessment of points sufficient to
106 suspend the person's driver license or will result in the
107 person's being designated as a habitual traffic offender under
108 s. 322.264. If so, the clerk, as an alternative to establishing
109 a payment plan, shall specify a payment order by which the
110 person may satisfy each outstanding fee and cost until all are
111 paid in full.

112 (7)(a) A person who enters into a payment plan or payment
113 order under subsection (6) must execute a written payment
114 agreement with the clerk of court which must provide:

115 1. The total amount of fees and costs owed by the person.

116 2. If the person has entered into a payment plan:

117 a. The down payment amount and monthly payment amount
118 established under subparagraph (6)(b)3.

119 b. The date on which each monthly payment is due.

120 3. If the person has entered into a payment order, an
121 enumerated list of each payment and the date on which each
122 payment is due.

123 4. Notice that payments may be made in person or by
124 telephonic or electronic means or that the person may elect to
125 have monthly payments automatically withdrawn from a credit

HB 1461

2022

126 account or debit account.

127 5. A statement that noncompliance with the payment plan or
128 payment order may result in suspension of the person's driving
129 privilege.

130 (b) Upon submission of a down payment, or the first
131 payment in a payment order, to the clerk of court, the clerk
132 shall release the suspension of the person's driver license in
133 the department database, or shall issue a written release for
134 the person to present to the department or an authorized agent
135 of the department, after which the person's driving privilege
136 shall be reinstated.

137 (c) The clerk of court must provide the person with a copy
138 of the written payment agreement entered into under paragraph
139 (a) and a monthly statement of the balance owed by the person.
140 The clerk is responsible for maintaining records relating to
141 each person participating in the pilot program, which shall
142 include, but not be limited to:

143 1. The person's first and last name, date of birth,
144 mailing address, e-mail address, telephone number, and case
145 number.

146 2. The total amount of fees and costs owed by the person
147 before participation in the pilot program.

148 3. If the person has entered into a payment plan or
149 payment order, the date on which each payment is due, the date
150 on which each payment is made, and the amount paid.

- 151 4. The current balance owed by the person.
- 152 (d) The clerk of court must send to a person who has
 153 entered into a payment plan or payment order, via an automated
 154 telephone message, text message, or e-mail, a reminder notice 4
 155 business days before the next payment is due. If the payment is
 156 not received within 7 business days after the date due, the
 157 clerk must send a second reminder notice. If the payment is not
 158 received within 30 days after the second reminder notice is
 159 sent, the clerk must send to the person, by first-class mail, a
 160 written notice that the person has failed to comply with the
 161 payment plan or payment order and that his or her driving
 162 privilege may be suspended.
- 163 (7)(a) By July 1, 2024, each clerk of court participating
 164 in the pilot program shall submit a report to the department
 165 that includes:
- 166 1. The number of cases paid in full.
- 167 2. The number of cases put on a payment plan or payment
 168 order.
- 169 3. The number of driver license reinstatements.
- 170 4. The number of driver licenses made eligible for
 171 reinstatement.
- 172 5. The amount of fees and costs collected.
- 173 6. The personnel, operating, security, and other
 174 expenditures incurred by the clerk of court.
- 175 7. The number of cases that fail to comply with a payment

HB 1461

2022

176 plan or payment order and subsequently result in driver license
177 suspension.

178 (b) By September 1, 2024, the department shall compile the
179 reports received under paragraph (a) and submit such reports,
180 along with a list of its findings and recommendations regarding
181 the pilot program, to the Governor, the President of the Senate,
182 and the Speaker of the House of Representatives.

183 Section 2. This act shall take effect July 1, 2022.