

By Senator Broxson

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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 the 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 the court and the
15 department; requiring execution of a written payment
16 agreement between the clerk of the court and a
17 participant; providing agreement requirements;
18 requiring reinstatement of a participant's driving
19 privilege under certain circumstances; requiring the
20 clerk of the court to provide certain documentation to
21 a participant; requiring maintenance of certain
22 records; requiring clerks of the court to submit
23 reports to the department by a specified date;
24 requiring the department to submit a report to the
25 Governor and Legislature by a specified date;
26 providing an effective date.

27
28 Be It Enacted by the Legislature of the State of Florida:
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30 Section 1. Section 322.755, Florida Statutes, is created to
31 read:

32 322.755 Operation Green Light Pilot Program.-

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

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

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

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

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

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

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

64 (b) A violation of s. 316.193;

65 (c) Failure to complete a driver training program, a driver
66 improvement course, or an alcohol or substance abuse education
67 or evaluation program required under s. 316.192, s. 316.193, s.
68 322.2616, or s. 322.271;

69 (d) A traffic-related felony; or

70 (e) Designation as a habitual traffic offender under s.
71 322.264.

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

75 (6) (a) In order to participate in the pilot program, a
76 person must contact the clerk of the court, in person or by
77 telephonic or electronic means, and request that the clerk of
78 the court, for purposes of reinstating the person's driver
79 license:

80 1. Accept payment in full of all outstanding fees and
81 costs; or

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

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

87 1. Determine the total amount of fees and costs owed by the

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88 person. The person must pay the full license reinstatement fee;
89 however, the clerk may reduce or waive other fees and costs,
90 except those imposed by the court, to facilitate reinstatement.

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

98 3. Except as provided in subparagraph 4., if the person has
99 requested the establishment of a payment plan, establish the
100 amount of a down payment and monthly payments, according to the
101 person's financial ability, to be submitted to the clerk until
102 all outstanding fees and costs are paid in full. A down payment
103 must equal at least 10 percent of the total amount of
104 outstanding fees and costs.

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

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

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

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

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

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

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

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

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

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

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

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

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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 payment
149 order, the date on which each payment is due, the date on which
150 each payment is made, and the amount paid.

151 4. The current balance owed by the person.

152 (d) The clerk of the court must send to a person who has
153 entered into a payment plan or payment order, through 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 (8) (a) By July 1, 2024, each clerk of the court
164 participating in the pilot program shall submit a report to the
165 department which 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 the court.

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175 7. The number of cases that fail to comply with a payment
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.