

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 costs; requiring a  
7           clerk of court to solicit competitive bids from  
8           private attorneys or collection agents for collection  
9           services, subject to certain requirements; prohibiting  
10          certain fees or surcharges; amending s. 316.650, F.S.;  
11          requiring traffic citation forms to include certain  
12          language relating to payment of a penalty; amending s.  
13          318.15, F.S.; prohibiting the suspension of a person's  
14          driver license solely for failure to pay a penalty  
15          under certain circumstances; amending s. 318.18, F.S.;  
16          requiring a court to inquire at the time a certain  
17          civil penalty is ordered whether the person is able to  
18          pay it; amending s. 322.055, F.S.; decreasing the  
19          period for revocation or suspension of, or delay of  
20          eligibility for, driver licenses or driving privileges  
21          for certain persons convicted of certain drug  
22          offenses; deleting provisions authorizing a driver to  
23          petition the Department of Highway Safety and Motor  
24          Vehicles for restoration of his or her driving  
25          privilege; amending s. 322.056, F.S.; decreasing the

26 | period for revocation or suspension of, or delay of  
27 | eligibility for, driver licenses or driving privileges  
28 | for certain persons found guilty of certain drug  
29 | offenses; deleting a provision authorizing a court to  
30 | direct the department to issue a license for certain  
31 | restricted driving privileges under certain  
32 | circumstances; deleting requirements relating to the  
33 | revocation or suspension of, or delay of eligibility  
34 | for, driver licenses or driving privileges for certain  
35 | persons found guilty of certain alcohol or tobacco  
36 | offenses; repealing s. 322.057, F.S., relating to  
37 | discretionary revocation or suspension of a driver  
38 | license for certain persons who provide alcohol to  
39 | persons under a specified age; amending s. 322.09,  
40 | F.S.; conforming provisions to changes made by the  
41 | act; repealing s. 322.091, F.S., relating to  
42 | attendance requirements for driving privileges;  
43 | amending s. 322.245, F.S.; prohibiting the suspension  
44 | of a person's driver license solely for failure to pay  
45 | a penalty under certain circumstances; repealing s.  
46 | 322.251(7), F.S., relating to notice of suspension or  
47 | revocation of driving privileges, reasons for  
48 | reinstatement of such driving privileges, and certain  
49 | electronic access to identify a person who is the  
50 | subject of an outstanding warrant or capias for

51 | passing worthless bank checks; amending s. 322.271,  
52 | F.S.; authorizing a person whose driver license or  
53 | privilege to drive has been suspended to have his or  
54 | her driver license or driving privilege reinstated on  
55 | a restricted basis under certain circumstances;  
56 | providing the period of validity of such restricted  
57 | license; amending s. 322.34, F.S.; revising the  
58 | underlying violations resulting in driver license or  
59 | driving privilege cancellation, suspension, or  
60 | revocation for which specified penalties apply;  
61 | amending s. 562.11, F.S.; revising penalties for  
62 | selling or serving alcoholic beverages to a person  
63 | under a specified age or permitting such person to  
64 | consume such beverages on licensed premises; revising  
65 | penalties for misrepresentation of age for purchase or  
66 | consumption of alcoholic beverages; conforming  
67 | provisions to changes made by the act; repealing s.  
68 | 562.111(3), F.S., relating to withholding issuance of,  
69 | or suspending or revoking, a driver license or driving  
70 | privilege for possession of alcoholic beverages by  
71 | persons under a specified age; amending s. 569.11,  
72 | F.S.; revising penalties for persons under a specified  
73 | age who knowingly possess, misrepresent their age or  
74 | military service to purchase, or purchase or attempt  
75 | to purchase tobacco products; authorizing, rather than

76 requiring, the court to direct the department to  
77 withhold issuance of or suspend a person's driver  
78 license or driving privilege for certain violations;  
79 amending s. 790.22, F.S.; revising penalties relating  
80 to suspending, revoking, or withholding issuance of  
81 driver licenses or driving privileges for minors under  
82 a specified age who possess firearms under certain  
83 circumstances; deleting provisions relating to  
84 penalties for certain offenses involving the use or  
85 possession of a firearm by a minor under a specified  
86 age; amending s. 806.13, F.S.; deleting provisions  
87 relating to certain penalties for criminal mischief by  
88 a minor; repealing s. 812.0155, F.S., relating to  
89 suspension of a driver license following an  
90 adjudication of guilt for theft; repealing s. 832.09,  
91 F.S., relating to suspension of a driver license after  
92 a warrant or capias is issued in a worthless check  
93 case; amending s. 877.112, F.S.; revising penalties  
94 for persons under a specified age who knowingly  
95 possess, misrepresent their age or military service to  
96 purchase, or purchase or attempt to purchase any  
97 nicotine product or nicotine dispensing device;  
98 authorizing, rather than requiring, the court to  
99 direct the department to withhold issuance of or  
100 suspend a person's driver license or driving privilege

101 for certain violations; amending s. 938.30, F.S.;  
102 authorizing a judge to convert certain financial  
103 obligations into court-ordered community service  
104 obligations by reliance on specified information under  
105 certain circumstances; amending s. 1003.27, F.S.;  
106 deleting provisions relating to procedures and  
107 penalties for minor students in nonenrollment and  
108 nonattendance cases; amending ss. 318.14, 322.05,  
109 322.27, and 1003.01, F.S.; conforming provisions to  
110 changes made by the act; providing applicability of  
111 certain changes made by the act; requiring the  
112 department to notify the Division of Law Revision and  
113 Information upon the adoption of certain uniform  
114 traffic citation forms; providing effective dates.

115  
116 Be It Enacted by the Legislature of the State of Florida:

117  
118 Section 1. Paragraph (a) of subsection (1) of section  
119 27.52, Florida Statutes, is amended to read:

120 27.52 Determination of indigent status.—

121 (1) APPLICATION TO THE CLERK.—A person seeking appointment  
122 of a public defender under s. 27.51 based upon an inability to  
123 pay must apply to the clerk of the court for a determination of  
124 indigent status using an application form developed by the  
125 Florida Clerks of Court Operations Corporation with final

126 approval by the Supreme Court.

127 (a) The application must include, at a minimum, the  
128 following financial information:

129 1. Net income, consisting of total salary and wages, minus  
130 deductions required by law, including court-ordered support  
131 payments.

132 2. Other income, including, but not limited to, social  
133 security benefits, union funds, veterans' benefits, workers'  
134 compensation, other regular support from absent family members,  
135 public or private employee pensions, reemployment assistance or  
136 unemployment compensation, dividends, interest, rent, trusts,  
137 and gifts.

138 3. Assets, including, but not limited to, cash, savings  
139 accounts, bank accounts, stocks, bonds, certificates of deposit,  
140 equity in real estate, and equity in a boat or a motor vehicle  
141 or in other tangible property.

142 4. All liabilities and debts.

143 5. If applicable, the amount of any bail paid for the  
144 applicant's release from incarceration and the source of the  
145 funds.

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

149

150 The application must include a signature by the applicant which

151 attests to the truthfulness of the information provided. The  
152 application form developed by the corporation must include  
153 notice that the applicant may seek court review of a clerk's  
154 determination that the applicant is not indigent, as provided in  
155 this section.

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

158 28.246 Payment of court-related fines or other monetary  
159 penalties, fees, charges, and costs; partial payments;  
160 distribution of funds.—

161 (4) The clerk of the circuit court shall accept partial  
162 payments for court-related fees, service charges, costs, and  
163 fines in accordance with the terms of an established payment  
164 plan. An individual seeking to defer payment of fees, service  
165 charges, costs, or fines imposed by operation of law or order of  
166 the court under any provision of general law shall apply to the  
167 clerk for enrollment in a payment plan. ~~The clerk shall enter~~  
168 ~~into a payment plan with an individual who the court determines~~  
169 ~~is indigent for costs.~~ A monthly payment amount, calculated  
170 based upon all fees and all anticipated costs, may ~~is presumed~~  
171 ~~to correspond to the person's ability to pay if the amount does~~  
172 not exceed 2 percent of the person's annual net income, as  
173 defined in s. 27.52(1), divided by 12, without the person's  
174 consent. The court may review the reasonableness of the payment  
175 plan.

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

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

194           (c) The clerk shall consider all pertinent criteria when  
195 considering bids, including, but not limited to, performance  
196 quality and customer service. The collection fee, ~~including any~~  
197 ~~reasonable attorney's fee,~~ paid to the private any attorney or  
198 collection agent retained by the clerk may be added to the  
199 balance owed in an amount not to exceed 40 percent of the amount  
200 owed at the time the account is referred to the attorney or

201 agent for collection.

202 (d) The clerk may not assess any surcharge to refer the  
203 account to a private attorney or collection agent.

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

207 (f) The clerk shall give the private attorney or  
208 collection agent the application for the appointment of court-  
209 appointed counsel regardless of whether the court file is  
210 otherwise confidential from disclosure.

211 Section 3. Paragraphs (b), (c), and (d) of subsection (1)  
212 of section 316.650, Florida Statutes, are redesignated as  
213 paragraphs (c), (d), and (e), respectively, a new paragraph (b)  
214 is added to that subsection, and present paragraph (c) of that  
215 subsection is amended, to read:

216 316.650 Traffic citations.—

217 (1)

218 (b) The traffic citation form must include language  
219 indicating that a person may enter into a payment plan with the  
220 clerk of court to pay a penalty. The form must also indicate  
221 that a person ordered to pay a penalty for a noncriminal traffic  
222 infraction and who is unable to comply due to demonstrable  
223 financial hardship will be allowed by the court to satisfy the  
224 payment by participating in community service pursuant to s.  
225 318.18 (8) (b).

226        ~~(d)(e)~~ Notwithstanding paragraphs (a) and ~~(c)~~ ~~(b)~~, a  
 227 traffic enforcement agency may produce uniform traffic citations  
 228 by electronic means. Such citations must be consistent with the  
 229 state traffic court rules and the procedures established by the  
 230 department and must be appropriately numbered and inventoried.  
 231 Affidavit-of-compliance forms may also be produced by electronic  
 232 means.

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

235        318.15 Failure to comply with civil penalty or to appear;  
 236 penalty.—

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

242        Section 5. Paragraph (b) of subsection (8) of section  
 243 318.18, Florida Statutes, is amended to read:

244        318.18 Amount of penalties.—The penalties required for a  
 245 noncriminal disposition pursuant to s. 318.14 or a criminal  
 246 offense listed in s. 318.17 are as follows:

247        (8)

248        (b)1.a. If a person has been ordered to pay a civil  
 249 penalty for a noncriminal traffic infraction and the person is  
 250 unable to comply with the court's order due to demonstrable

251 financial hardship, the court shall allow the person to satisfy  
252 the civil penalty by participating in community service until  
253 the civil penalty is paid.

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

256 ~~c.b.~~ If a court orders a person to perform community  
257 service, the person shall receive credit for the civil penalty  
258 at the specified hourly credit rate per hour of community  
259 service performed, and each hour of community service performed  
260 shall reduce the civil penalty by that amount.

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

267 b. However, if a person ordered to perform community  
268 service has a trade or profession for which there is a community  
269 service need, the specified hourly credit rate for each hour of  
270 community service performed by that person shall be the average  
271 prevailing wage rate for the trade or profession that the  
272 community service agency needs.

273 3.a. The community service agency supervising the person  
274 shall record the number of hours of community service completed  
275 and the date the community service hours were completed. The

276 community service agency shall submit the data to the clerk of  
277 court on the letterhead of the community service agency, which  
278 must also bear the notarized signature of the person designated  
279 to represent the community service agency.

280 b. When the number of community service hours completed by  
281 the person equals the amount of the civil penalty, the clerk of  
282 court shall certify this fact to the court. Thereafter, the  
283 clerk of court shall record in the case file that the civil  
284 penalty has been paid in full.

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

286 a. "Community service" means uncompensated labor for a  
287 community service agency.

288 b. "Community service agency" means a not-for-profit  
289 corporation, community organization, charitable organization,  
290 public officer, the state or any political subdivision of the  
291 state, or any other body the purpose of which is to improve the  
292 quality of life or social welfare of the community and which  
293 agrees to accept community service from persons unable to pay  
294 civil penalties for noncriminal traffic infractions.

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

297 322.055 Revocation or suspension of, or delay of  
298 eligibility for, driver license for persons 18 years of age or  
299 older convicted of certain drug offenses.—

300 (1) Notwithstanding s. 322.28, upon the conviction of a

301 person 18 years of age or older for possession or sale of,  
302 trafficking in, or conspiracy to possess, sell, or traffic in a  
303 controlled substance, the court shall direct the department to  
304 revoke the driver license or driving privilege of the person.  
305 The period of such revocation shall be 6 months ~~1 year~~ or until  
306 the person is evaluated for and, if deemed necessary by the  
307 evaluating agency, completes a drug treatment and rehabilitation  
308 program approved or regulated by the Department of Children and  
309 Families. However, the court may, in its sound discretion,  
310 direct the department to issue a license for driving privilege  
311 restricted to business or employment purposes only, as defined  
312 by s. 322.271, if the person is otherwise qualified for such a  
313 license. ~~A driver whose license or driving privilege has been~~  
314 ~~suspended or revoked under this section or s. 322.056 may, upon~~  
315 ~~the expiration of 6 months, petition the department for~~  
316 ~~restoration of the driving privilege on a restricted or~~  
317 ~~unrestricted basis depending on length of suspension or~~  
318 ~~revocation. In no case shall~~ A restricted license may not be  
319 available until 6 months of the ~~suspension or~~ revocation period  
320 has been completed ~~expired~~.

321 (2) If a person 18 years of age or older is convicted for  
322 the possession or sale of, trafficking in, or conspiracy to  
323 possess, sell, or traffic in a controlled substance and such  
324 person is eligible by reason of age for a driver license or  
325 privilege, the court shall direct the department to withhold

326 issuance of such person's driver license or driving privilege  
327 for a period of 6 months ~~1 year~~ after the date the person was  
328 convicted or until the person is evaluated for and, if deemed  
329 necessary by the evaluating agency, completes a drug treatment  
330 and rehabilitation program approved or regulated by the  
331 Department of Children and Families. However, the court may, in  
332 its sound discretion, direct the department to issue a license  
333 for driving privilege restricted to business or employment  
334 purposes only, as defined by s. 322.271, if the person is  
335 otherwise qualified for such a license. ~~A driver whose license  
336 or driving privilege has been suspended or revoked under this  
337 section or s. 322.056 may, upon the expiration of 6 months,  
338 petition the department for restoration of the driving privilege  
339 on a restricted or unrestricted basis depending on the length of  
340 suspension or revocation. In no case shall A restricted license  
341 may not be available until 6 months of the withholding  
342 ~~suspension or revocation~~ period has been completed ~~expired~~.~~

343 (3) If a person 18 years of age or older is convicted for  
344 the possession or sale of, trafficking in, or conspiracy to  
345 possess, sell, or traffic in a controlled substance and such  
346 person's driver license or driving privilege is already under  
347 suspension or revocation for any reason, the court shall direct  
348 the department to extend the period of such suspension or  
349 revocation by an additional period of 6 months ~~1 year~~ or until  
350 the person is evaluated for and, if deemed necessary by the

351 evaluating agency, completes a drug treatment and rehabilitation  
352 program approved or regulated by the Department of Children and  
353 Families. However, the court may, in its sound discretion,  
354 direct the department to issue a license for driving privilege  
355 restricted to business or employment purposes only, as defined  
356 by s. 322.271, if the person is otherwise qualified for such a  
357 license. ~~A driver whose license or driving privilege has been~~  
358 ~~suspended or revoked under this section or s. 322.056 may, upon~~  
359 ~~the expiration of 6 months, petition the department for~~  
360 ~~restoration of the driving privilege on a restricted or~~  
361 ~~unrestricted basis depending on the length of suspension or~~  
362 ~~revocation. In no case shall A restricted license may not be~~  
363 available until 6 months of the suspension or revocation period  
364 has been completed ~~expired~~.

365 (4) If a person 18 years of age or older is convicted for  
366 the possession or sale of, trafficking in, or conspiracy to  
367 possess, sell, or traffic in a controlled substance and such  
368 person is ineligible by reason of age for a driver license or  
369 driving privilege, the court shall direct the department to  
370 withhold issuance of such person's driver license or driving  
371 privilege for a period of 6 months ~~1 year~~ after the date that he  
372 or she would otherwise have become eligible or until he or she  
373 becomes eligible by reason of age for a driver license and is  
374 evaluated for and, if deemed necessary by the evaluating agency,  
375 completes a drug treatment and rehabilitation program approved

376 or regulated by the Department of Children and Families.  
 377 However, the court may, in its sound discretion, direct the  
 378 department to issue a license for driving privilege restricted  
 379 to business or employment purposes only, as defined by s.  
 380 322.271, if the person is otherwise qualified for such a  
 381 license. ~~A driver whose license or driving privilege has been~~  
 382 ~~suspended or revoked under this section or s. 322.056 may, upon~~  
 383 ~~the expiration of 6 months, petition the department for~~  
 384 ~~restoration of the driving privilege on a restricted or~~  
 385 ~~unrestricted basis depending on the length of suspension or~~  
 386 ~~revocation. In no case shall~~ A restricted license may not be  
 387 available until 6 months of the withholding suspension or  
 388 ~~revocation~~ period has been completed ~~expired~~.

389 Section 7. Section 322.056, Florida Statutes, is amended  
 390 to read:

391 322.056 Mandatory revocation or suspension of, or delay of  
 392 eligibility for, driver license for persons under age 18 found  
 393 guilty of ~~certain alcohol, drug, or tobacco~~ offenses;  
 394 prohibition.-

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

399 (a) The person is eligible by reason of age for a driver  
 400 license or driving privilege, the court shall direct the

401 department to revoke or to withhold issuance of his or her  
402 driver license or driving privilege for a period of 6 months÷

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

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

406 (b) The person's driver license or driving privilege is  
407 under suspension or revocation for any reason, the court shall  
408 direct the department to extend the period of suspension or  
409 revocation by an additional 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 (c) The person is ineligible by reason of age for a driver  
414 license or driving privilege, the court shall direct the  
415 department to withhold issuance of his or her driver license or  
416 driving privilege for a period of÷

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

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

422  
423 ~~However, the court may, in its sound discretion, direct the~~  
424 ~~department to issue a license for driving privileges restricted~~  
425 ~~to business or employment purposes only, as defined in s.~~

426 ~~322.271, if the person is otherwise qualified for such a~~  
427 ~~license.~~

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

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

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

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

442 ~~(b) The person's driver license or driving privilege is~~  
443 ~~under suspension or revocation for any reason, the court shall~~  
444 ~~direct the department to extend the period of suspension or~~  
445 ~~revocation by an additional period 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 ~~(c) The person is ineligible by reason of age for a driver~~  
450 ~~license or driving privilege, the court shall direct the~~

451 ~~department to withhold issuance of his or her driver license or~~  
452 ~~driving privilege 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  
457 ~~Any second violation of s. 569.11 or s. 877.112(6) or (7) not~~  
458 ~~within the 12-week period after the first violation will be~~  
459 ~~treated as a first violation and in the same manner as provided~~  
460 ~~in this subsection.~~

461 ~~(3) If a person under 18 years of age is found by the~~  
462 ~~court to have committed a third violation of s. 569.11 or s.~~  
463 ~~877.112(6) or (7) within 12 weeks of the first violation, the~~  
464 ~~court must direct the Department of Highway Safety and Motor~~  
465 ~~Vehicles to suspend or withhold issuance of his or her driver~~  
466 ~~license or driving privilege for 60 consecutive days. Any third~~  
467 ~~violation of s. 569.11 or s. 877.112(6) or (7) not within the~~  
468 ~~12-week period after the first violation will be treated as a~~  
469 ~~first violation and in the same manner as provided in subsection~~  
470 ~~(2).~~

471 ~~(2)~~(4) A penalty imposed under this section shall be in  
472 addition to any other penalty imposed by law.

473 ~~(5) The suspension or revocation of a person's driver~~  
474 ~~license imposed pursuant to subsection (2) or subsection (3),~~  
475 ~~shall not result in or be cause for an increase of the convicted~~

476 ~~person's, or his or her parent's or legal guardian's, automobile~~  
477 ~~insurance rate or premium or result in points assessed against~~  
478 ~~the person's driving record.~~

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

480 Section 9. Subsections (4) and (5) of section 322.09,  
481 Florida Statutes, are renumbered as subsections (3) and (4),  
482 respectively, and present subsection (3) of that section is  
483 amended to read:

484 322.09 Application of minors; responsibility for  
485 negligence or misconduct of minor.—

486 ~~(3) The department may not issue a driver license or~~  
487 ~~learner's driver license to any applicant under the age of 18~~  
488 ~~years who is not in compliance with the requirements of s.~~  
489 ~~322.091.~~

490 Section 10. Section 322.091, Florida Statutes, is  
491 repealed.

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

494 322.245 Suspension of license upon failure of person  
495 charged with specified offense under chapter 316, chapter 320,  
496 or this chapter to comply with directives ordered by traffic  
497 court or upon failure to pay child support in non-IV-D cases as  
498 provided in chapter 61 or failure to pay any financial  
499 obligation in any other criminal case.—

500 (6) Notwithstanding any other law, a person's driver

501 license may not be suspended solely for failure to pay a penalty  
502 if the person requests a hearing and demonstrates to the court,  
503 after notice of the penalty and before the suspension takes  
504 place, that the person is unable to pay the penalty.

505 Section 12. Subsection (7) of section 322.251, Florida  
506 Statutes, is repealed.

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

509 322.271 Authority to modify revocation, cancellation, or  
510 suspension order.—

511 (8) A person whose driver license or privilege to drive  
512 has been suspended under s. 318.15 or s. 322.245, with the  
513 exception of any suspension related to s. 61.13016, may have his  
514 or her driver license or driving privilege reinstated on a  
515 restricted basis by the department in accordance with this  
516 section. The restricted license is valid until the 7-year  
517 suspension period provided in s. 318.15 expires or until the  
518 debt is paid.

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

521 322.34 Driving while license suspended, revoked, canceled,  
522 or disqualified.—

523 (10) (a) Notwithstanding any other provision of this  
524 section, if a person does not have a prior forcible felony  
525 conviction as defined in s. 776.08, the penalties provided in

526 paragraph (b) apply if a person's driver license or driving  
527 privilege is canceled, suspended, or revoked for:

528 1. Failing to pay child support as provided in s. 322.245  
529 or s. 61.13016;

530 2. Failing to pay any other financial obligation as  
531 provided in s. 322.245 ~~other than those specified in s.~~  
532 ~~322.245(1);~~

533 3. Failing to comply with a civil penalty required in s.  
534 318.15;

535 4. Failing to maintain vehicular financial responsibility  
536 as required by chapter 324; or

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

539 ~~5.6.~~ Having been designated a habitual traffic offender  
540 under s. 322.264(1)(d) as a result of suspensions of his or her  
541 driver license or driver privilege for any underlying violation  
542 listed in subparagraphs 1.-4. ~~1.-5.~~

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

548 2. Upon a second or subsequent conviction for the same  
549 offense of knowingly driving while his or her license is  
550 suspended, revoked, or canceled for any of the underlying

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

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

557 562.11 Selling, giving, or serving alcoholic beverages to  
558 person under age 21; providing a proper name; misrepresenting or  
559 misstating age or age of another to induce licensee to serve  
560 alcoholic beverages to person under 21; penalties.—

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

571 ~~2.—In addition to any other penalty imposed for a~~  
572 ~~violation of subparagraph 1., the court may order the Department~~  
573 ~~of Highway Safety and Motor Vehicles to withhold the issuance~~  
574 ~~of, or suspend or revoke, the driver license or driving~~  
575 ~~privilege, as provided in s. 322.057, of any person who violates~~

576 ~~subparagraph 1. This subparagraph does not apply to a licensee,~~  
577 ~~as defined in s. 561.01, who violates subparagraph 1. while~~  
578 ~~acting within the scope of his or her license or an employee or~~  
579 ~~agent of a licensee, as defined in s. 561.01, who violates~~  
580 ~~subparagraph 1. while engaged within the scope of his or her~~  
581 ~~employment or agency.~~

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

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

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

600 ~~1.~~ may order the person to participate in public service

601 or a community work project for a period not to exceed 40 hours;  
 602 and

603 ~~2. Shall direct the Department of Highway Safety and Motor~~  
 604 ~~Vehicles to withhold issuance of, or suspend or revoke, the~~  
 605 ~~person's driver license or driving privilege, as provided in s.~~  
 606 ~~322.056.~~

607 Section 16. Subsection (3) of section 562.111, Florida  
 608 Statutes, is repealed.

609 Section 17. Subsections (1), (2), and (5) of section  
 610 569.11, Florida Statutes, are amended to read:

611 569.11 Possession, misrepresenting age or military service  
 612 to purchase, and purchase of tobacco products by persons under  
 613 18 years of age prohibited; penalties; jurisdiction; disposition  
 614 of fines.—

615 (1) A ~~It is unlawful for any person~~ under 18 years of age  
 616 may not ~~to~~ knowingly possess any tobacco product. A ~~Any~~ person  
 617 under 18 years of age who violates ~~the provisions of this~~  
 618 subsection commits a noncriminal violation as provided in s.  
 619 775.08(3), punishable by:

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

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

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

631  
632 A Any second or subsequent violation not within 12 weeks ~~the 12-~~  
633 ~~week time period~~ after the first violation is punishable as  
634 provided for a first violation.

635 (2) A ~~It is unlawful for any~~ person under 18 years of age  
636 may not ~~to~~ misrepresent his or her age or military service for  
637 the purpose of inducing a dealer or an agent or employee of the  
638 dealer to sell, give, barter, furnish, or deliver any tobacco  
639 product, or ~~to~~ purchase, or attempt to purchase, any tobacco  
640 product from a person or a vending machine. A ~~Any~~ person under  
641 18 years of age who violates ~~a provision of~~ this subsection  
642 commits a noncriminal violation as provided in s. 775.08(3),  
643 punishable by:

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

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

650 ~~(c) For a third or subsequent violation within 12 weeks of~~

651 ~~the first violation, the court must direct the Department of~~  
652 ~~Highway Safety and Motor Vehicles to withhold issuance of or~~  
653 ~~suspend or revoke the person's driver license or driving~~  
654 ~~privilege, as provided in s. 322.056.~~

655  
656 A ~~Any~~ second or subsequent violation not within 12 weeks ~~the 12-~~  
657 ~~week time period~~ after the first violation is punishable as  
658 provided for a first violation.

659 (5) (a) If a person under 18 years of age is found by the  
660 court to have committed a noncriminal violation under this  
661 section and that person has failed to complete community  
662 service, pay the fine as required by paragraph (1) (a) or  
663 paragraph (2) (a), or attend a school-approved anti-tobacco  
664 program, if locally available, the court may ~~must~~ direct the  
665 Department of Highway Safety and Motor Vehicles to withhold  
666 issuance of or suspend the driver license or driving privilege  
667 of that person for ~~a period of~~ 30 consecutive days.

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

675 Section 18. Subsections (5) and (10) of section 790.22,

676 Florida Statutes, are amended to read:

677       790.22 Use of BB guns, air or gas-operated guns, or  
678 electric weapons or devices by minor under 16; limitation;  
679 possession of firearms by minor under 18 prohibited; penalties.—

680       (5)~~(a)~~ A minor who violates subsection (3):

681       (a) For a first offense, commits a misdemeanor of the  
682 first degree; ~~for a first offense,~~ may serve a period of  
683 detention of up to 3 days in a secure detention facility, ~~and,~~  
684 in addition to any other penalty provided by law, shall be  
685 required to perform 100 hours of community service; ~~and:~~

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

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

696       ~~3.— If the minor is ineligible by reason of age for a~~  
697 ~~driver license or driving privilege, the court shall direct the~~  
698 ~~Department of Highway Safety and Motor Vehicles to withhold~~  
699 ~~issuance of the minor's driver license or driving privilege for~~  
700 ~~up to 1 year after the date on which the minor would otherwise~~

701 ~~have become eligible.~~

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

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

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

718 3. ~~If the minor is ineligible by reason of age for a~~  
719 ~~driver license or driving privilege, the court shall direct the~~  
720 ~~Department of Highway Safety and Motor Vehicles to withhold~~  
721 ~~issuance of the minor's driver license or driving privilege for~~  
722 ~~up to 2 years after the date on which the minor would otherwise~~  
723 ~~have become eligible.~~

724  
725 For the purposes of this subsection, community service shall be

726 performed, if possible, in a manner involving a hospital  
727 emergency room or other medical environment that deals on a  
728 regular basis with trauma patients and gunshot wounds.

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

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

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

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

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

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

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

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

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

767 Section 19. Subsection (9) of section 806.13, Florida  
768 Statutes, is renumbered as subsection (7), and present  
769 subsections (7) and (8) of that section are amended to read:

770 806.13 Criminal mischief; penalties; penalty for minor.—

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

775 ~~(a) The minor is eligible 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 revoke or~~  
778 ~~withhold issuance of the minor's driver license or driving~~  
779 ~~privilege for not more than 1 year.~~

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

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

791 ~~(8) A minor whose driver license or driving privilege is~~  
792 ~~revoked, suspended, or withheld under subsection (7) may elect~~  
793 ~~to reduce the period of revocation, suspension, or withholding~~  
794 ~~by performing community service at the rate of 1 day for each~~  
795 ~~hour of community service performed. In addition, if the court~~  
796 ~~determines that due to a family hardship, the minor's driver~~  
797 ~~license or driving privilege is necessary for employment or~~  
798 ~~medical purposes of the minor or a member of the minor's family,~~  
799 ~~the court shall order the minor to perform community service and~~  
800 ~~reduce the period of revocation, suspension, or withholding at~~

801 ~~the rate of 1 day for each hour of community service performed.~~  
 802 ~~As used in this subsection, the term "community service" means~~  
 803 ~~cleaning graffiti from public property.~~

804 Section 20. Section 812.0155, Florida Statutes, is  
 805 repealed.

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

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

810 877.112 Nicotine products and nicotine dispensing devices;  
 811 prohibitions for minors; penalties; civil fines; signage  
 812 requirements; preemption.—

813 (6) PROHIBITIONS ON POSSESSION OF NICOTINE PRODUCTS OR  
 814 NICOTINE DISPENSING DEVICES BY MINORS.—~~A~~ ~~It is unlawful for any~~  
 815 ~~person under 18 years of age~~ may not ~~to~~ knowingly possess any  
 816 nicotine product or a nicotine dispensing device. A ~~Any~~ person  
 817 under 18 years of age who violates this subsection commits a  
 818 noncriminal violation as defined in s. 775.08(3), punishable by:

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

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

825 ~~(c) For a third or subsequent violation within 12 weeks of~~

826 ~~the first violation, the court must direct the Department of~~  
827 ~~Highway Safety and Motor Vehicles to withhold issuance of or~~  
828 ~~suspend or revoke the person's driver license or driving~~  
829 ~~privilege, as provided in s. 322.056.~~

830

831 A ~~Any~~ second or subsequent violation not within 12 weeks ~~the 12-~~  
832 ~~week time period~~ after the first violation is punishable as  
833 provided for a first violation.

834 (7) PROHIBITION ON MISREPRESENTING AGE.—~~A~~ ~~It is unlawful~~  
835 ~~for any~~ person under 18 years of age may not ~~to~~ misrepresent his  
836 or her age or military service for the purpose of inducing a  
837 retailer of nicotine products or nicotine dispensing devices or  
838 an agent or employee of such retailer to sell, give, barter,  
839 furnish, or deliver any nicotine product or nicotine dispensing  
840 device, or ~~to~~ purchase, or attempt to purchase, any nicotine  
841 product or nicotine dispensing device from a person or a vending  
842 machine. A ~~Any~~ person under 18 years of age who violates this  
843 subsection commits a noncriminal violation as defined in s.  
844 775.08(3), punishable by:

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

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

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

856  
857 A Any second or subsequent violation not within 12 weeks ~~the 12-~~  
858 ~~week time period~~ after the first violation is punishable as  
859 provided for a first violation.

860 (8) PENALTIES FOR MINORS.—

861 (c) If a person under 18 years of age is found by the  
862 court to have committed a noncriminal violation under this  
863 section and that person has failed to complete community  
864 service, pay the fine as required by paragraph (6) (a) or  
865 paragraph (7) (a), or attend a school-approved anti-tobacco and  
866 nicotine program, if locally available, the court may ~~must~~  
867 direct the Department of Highway Safety and Motor Vehicles to  
868 withhold issuance of or suspend the driver license or driving  
869 privilege of that person for 30 consecutive days.

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

876 | privilege of that person for 45 consecutive days.

877 |       Section 23. Subsection (2) of section 938.30, Florida  
878 | Statutes, is amended to read:

879 |       938.30 Financial obligations in criminal cases;  
880 | supplementary proceedings.—

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

891 |       Section 24. Subsection (2) of section 1003.27, Florida  
892 | Statutes, is amended to read:

893 |       1003.27 Court procedure and penalties.—The court procedure  
894 | and penalties for the enforcement of the provisions of this  
895 | part, relating to compulsory school attendance, shall be as  
896 | follows:

897 |       (2) NONENROLLMENT AND NONATTENDANCE CASES.—

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

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

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

923 Section 25. Paragraph (a) of subsection (10) of section  
924 318.14, Florida Statutes, is amended to read:

925 318.14 Noncriminal traffic infractions; exception;

926 | procedures.—

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

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

946 |       2. Operating a motor vehicle without a valid registration  
947 | in violation of s. 320.0605, s. 320.07, or s. 320.131.

948 |       3. Operating a motor vehicle in violation of s. 316.646.

949 |       4. Operating a motor vehicle with a license that has been  
950 | suspended under s. 61.13016 or s. 322.245 for failure to pay

951 child support or for failure to pay any other financial  
 952 obligation as provided in s. 322.245; however, this subparagraph  
 953 does not apply if the license has been suspended pursuant to s.  
 954 322.245(1).

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

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

960 322.05 Persons not to be licensed.—The department may not  
 961 issue a license:

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

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

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

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

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

979 Section 27. Paragraph (b) of subsection (5) of section  
 980 322.27, Florida Statutes, is amended to read:

981 322.27 Authority of department to suspend or revoke driver  
 982 license or identification card.—

983 (5)

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

988 318.14(10)(a)1.-4. ~~318.14(10)(a)1.-5.~~, the clerk of court shall  
 989 submit an amended disposition to remove the habitual traffic  
 990 offender designation.

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

993 1003.01 Definitions.—As used in this chapter, the term:

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

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

1001 certificates of completion;

1002 (b) The student has not met the relevant attendance  
 1003 requirements of the school district pursuant to State Board of  
 1004 Education rules, or the student was expected to attend a school  
 1005 but did not enter as expected for unknown reasons, or the  
 1006 student's whereabouts are unknown;

1007 (c) The student has withdrawn from school, but has not  
 1008 transferred to another public or private school or enrolled in  
 1009 any career, adult, home education, or alternative educational  
 1010 program;

1011 (d) The student has withdrawn from school due to hardship,  
 1012 unless such withdrawal has been granted because of ~~under the~~  
 1013 ~~provisions of s. 322.091,~~ court action, expulsion, medical  
 1014 reasons, or pregnancy; or

1015 (e) The student is not eligible to attend school because  
 1016 of reaching the maximum age for an exceptional student program  
 1017 in accordance with the district's policy.

1018  
 1019 The State Board of Education may adopt rules to implement ~~the~~  
 1020 ~~provisions of~~ this subsection.

1021 Section 29. The amendments made by this act to s. 316.650,  
 1022 Florida Statutes, shall take effect upon the depletion of the  
 1023 current inventory of uniform traffic citation forms and the  
 1024 adoption by rule of new uniform traffic citation forms. The  
 1025 Department of Highway Safety and Motor Vehicles shall notify the

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1026 | Division of Law Revision and Information upon the adoption of  
1027 | the new forms.

1028 |       Section 30. Except as otherwise expressly provided in this  
1029 | act, this act shall take effect October 1, 2018.