SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based only on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1506

SPONSOR: Criminal Justice Committee and Senator Diaz-Balart

SUBJECT: DUI/BUI

DATE: April 18, 2000 REVISED:

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Dugger	Cannon	CJ	Favorable/CS
2.			TR	
3.			FP	
4.				
5.				

I. Summary:

This CS amends the driving under the influence (DUI) and boating under the influence (BUI) statutes to make a third offense of either crime a third degree felony. Currently, DUI and BUI do not become felonies until the fourth offense.

It clarifies that in a DUI and BUI case causing property damage, serious bodily injury, or death that the driver or operator can be convicted of those crimes even if he or she is not the sole cause of the incident.

It allows police officers to take certain DUI and BUI offenders into protective custody and provides further criteria for a court to determine whether involuntary assessment and stabilization or involuntary treatment are required. If an indigent person is admitted by court order, funds from the surtax collected pursuant to s. 212.055(4), F.S., would be used to pay for the assessment, stabilization or treatment.

The CS makes refusal to submit to a breath or blood-alcohol test a first degree misdemeanor. Currently, persons who refuse are subject only to civil sanctions. The CS requires officers to tell defendants that refusal to submit to testing is a misdemeanor.

It requires law enforcement officers to order breath or blood-alcohol tests in accidents involving death or serious bodily injury where there is probable cause to believe the driver is under the influence.

The CS amends the Criminal Punishment Code to include BUI offenses and shows that only three prior convictions are required for felony DUI and BUI, rather than four.

The CS amends s. 938.07, F.S., to require court costs that are currently imposed in DUI cases to also be imposed in BUI cases.

This CS substantially amends or creates the following sections of the Florida Statutes: 316.193, 316.1932, 316.1933, 316.1939, 327.35, 327.352, 327.353, 327.359, 397.6755, 921.0022, and 938.07.

II. Present Situation:

Section 1: Section 316.193, F.S., proscribes the offense of driving under the influence of alcohol or drugs to the extent normal faculties are impaired or driving with a blood or breath alcohol level of .08 percent or higher (DUI). Penalties for DUI vary according to the frequency of previous convictions, the offender's blood alcohol level when arrested, and whether serious injury or death results.

The first three times a person commits DUI, he or she is subject to imprisonment of up to one year and fines up to $2,500 as provided in s. 316.193(2), F.S. Potential fines and imprisonment are increased if the offender has a blood or breath-alcohol level greater than 0.20 or if a person under age 18 is present in the vehicle as provided in s. 316.193(4), F.S. Pursuant to s. 316.193(2)(b), F.S., a fourth DUI conviction is a felony and the offender faces up to five years in a state prison and up to a $5,000 fine as provided in ss. 775.082 and 775.083, F.S. The minimum fine for felony DUI is $1,000 as provided in s. 316.193(2)(b), F.S.

Section 316.193(3), F.S., provides increased penalties for a DUI offender who, by reason of operation of a vehicle, **causes** damage to property, serious bodily injury to another, or the death of another person. The standard jury instruction in DUI manslaughter cases (prosecutions under s. 316.193(3), F.S., where a death is involved) provides that the state must prove that a DUI offender "caused or contributed to the cause" of the death.

Section 316.193(9), F.S., provides that a person arrested for DUI shall not be released until the person is no longer impaired, until the person's blood or breath-alcohol level is less than 0.05, or until eight hours have elapsed from the time of arrest.

Section 2: Section 316.1932, F.S., explains that a person who accepts the privilege of driving in this state is deemed to have consented to an appropriate test (blood, urine, or breath) for alcohol, chemical substances, or controlled substances if the person is arrested for driving under the influence. The statute details testing requirements and mandates that the person be told that the failure to submit to "any lawful test of his or her [breath, urine, or blood], will result in the suspension of the person's privilege to operate a motor vehicle for a period of 1 year for a first refusal, or for a period of 18 months if the driving privilege of such person has been previously suspended as a result of a refusal to submit to such a test or tests," as provided in ss. 316.1932(1)(a) and 316.1932(1)(c), F.S. The refusal to submit to an appropriate test is admissible in criminal prosecutions.

Currently, the penalty for refusal is a suspension of the person's driver's license and use of the refusal as evidence in prosecutions. There are no criminal sanctions for refusal.

Florida courts have found that s. 316.1932, F.S., does not give persons the **right** to refuse to submit to testing, but rather it gives them the **option** to refuse to submit to testing. *State v. Young*, 483 So.2d 31, 33 (5th DCA 1985) [pointing out the Florida Supreme Court's discussion

on the "right to refuse testing" in *Sambrine v. State*, 386 So.2d 546 (Fla. 1980)], and *State v. Hoch*, 500 So.2d 597 (3rd DCA 1986) [citing the United States Supreme Court in *South Dakota v. Neville*, 459 U.S. 553, 565 (1983), in which the Court found that the driver's right to refuse the blood-alcohol test was "simply a matter of grace bestowed by the South Dakota legislature."] The *Hoch* court reasoned that since the driver has no constitutional right to refuse to be tested, only the option to refuse, the implied consent statute does not provide the driver with a pre-breath test right-to-counsel under the Sixth or Fifth Amendment. *Id.* at 599.

The implied consent statute also provides that a person consents to an approved blood test to determine the alcoholic content of blood or the presence of drugs when the person appears for treatment at a hospital, clinic, or other medical facility and the administration of a breath or urine test is impractical or impossible. s. 316.1932(1)(c), F.S.

The implied consent statute has been upheld against a Fifth Amendment challenge in *State v. Pagach*, 442 So. 2d 331 (2nd DCA 1983). In upholding the constitutionality of the statute, the Second District Court of Appeal followed the United States Supreme Court's holding in *Neville*. In that case, the Court concluded that "a refusal to take a blood alcohol test, after a police officer has lawfully requested it, is not an act coerced by the officer, and thus is not protected by the privilege against self-incrimination." Id. at 564. The Supreme Court went on to hold that the admission of the refusal into evidence at the criminal trial does not violate due process, even though the driver was not fully warned of the consequences of refusal. *Id.*

The Second District Court of Appeal in *Freeman v. State*, 611 So.2d 1260 (2nd DCA 1992), has also upheld the implied consent statute as constitutional against a double jeopardy challenge by finding that the purpose of the statute providing for revocation of a driver's license upon a conviction for DUI is to provide an administrative remedy for public protection and not to punish the offender. *Id*. at 1261. The Fifth District Court of Appeal also reached the same conclusion in *Davidson v. MacKinnon*, 656 So.2d 223 (5th DCA 1995) (holding that license suspension serves the primary purpose of enhancing safe driving on public highways and thus does not prohibit subsequent criminal prosecution for DUI.) *Id.*

Section 3: Section 316.1933(1), F.S., permits a law enforcement officer, if the officer has probable cause to believe that a motor vehicle driven by or in actual physical control of a person under the influence of alcohol, chemical substances, or controlled substances caused the death or serious bodily injury of a person, to require the person to submit to a blood test. The officer can use reasonable force to require submission to the test. The statute defines "serious bodily injury" as an injury "which consists of a physical condition that creates a substantial risk of death, serious personal disfigurement, or protracted loss or impairment of the function of any bodily member or organ."

Section 4: Currently, Florida imposes administrative driver's license suspensions if a driver refuses to submit to a lawful blood or breath-alcohol test as provided in s. 322.2615, F.S. Suspensions last for up to 18 months, depending on whether there has been a prior refusal as provided in s. 322.2615(1)(b), F.S. While the fact that a person refused to submit to a blood or breath-alcohol test is admissible in criminal proceedings for other crimes, the refusal itself is not a crime.

Sections 5-8: Section 327.35, F.S., prohibits boating under the influence (BUI) and provides for penalties. It is analogous to the DUI statute. The laws for failing to submit to a blood or breath-alcohol test parallel those in a DUI situation. The discussions of Sections 1-4 of the CS apply to Sections 5-8.

Section 9: Part V of chapter 397, F.S., deals with involuntary admissions for evaluations of persons who may have substance abuse problems. Section 397.675, F.S., explains that a person meets the criteria for involuntary admission if there is a good faith basis to believe that the person is substance abuse impaired and, because of the impairment, has lost the power of self-control with respect to substance use and (a) inflicted, attempted to inflict, or threatened physical harm on the person or others or (b) is in need of substance abuse treatment and unable to recognize the need for such treatment. Pursuant to s. 397.677, F.S., when a person appears to meet these conditions and is brought to the attention of law enforcement, a law enforcement officer may take the person into protective custody. Within 72 hours after being taken into protective custody, the person must be evaluated by an attending physician and can only be retained in custody if a petition is filed with the court as provided in s. 397.6773, F.S. The court must hold a hearing on the petition and can issue an order authorizing involuntary assessment and stabilization or involuntary treatment if the person meets the criteria of s. 397.675, F.S.

There are currently no procedures in place that deal specifically with involuntary admissions for persons whose alcohol or drug impairment prevents them from realizing they should not drive automobiles or operate vessels while impaired.

Section 10: The Criminal Punishment Code does not score BUI offenses. Felony DUI is a Level 6 offense and DUI manslaughter is a Level 9 offense as provided in s. 921.0022, F.S.

Section 11: Section 938.07, F.S., imposes an additional $135 court cost on fines imposed pursuant to DUI violations. It does not impose the court cost for BUI violations. The statute also contains an incorrect statutory reference to the Brain and Spinal Cord Injury Rehabilitation Trust Fund. The Fund is now created in s. 381.79, F.S., and not s. 413.613, F.S.

III. Effect of Proposed Changes:

Section 1: The CS amends s. 316.193, F.S., to make a third DUI conviction a felony. Potentially, offenders convicted of a third DUI could be sentenced to five years imprisonment and fined $5,000 as provided in ss. 775.082 and 775.083, F.S. If an offender's blood or breath-alcohol level exceeds 0.20, the minimum fine for felony DUI would be not less than $2,000. According to the Department of Highway Safety and Motor Vehicles, there were 1,536 convictions for a third time DUI in 1998. Under this CS, those convictions could have been felony convictions.

The CS amends s. 316.193(9), F.S., to permit a law enforcement officer to place a person in protective custody pursuant to s. 397.6772, F.S., if the person has previously been convicted of a DUI or BUI offense, if the person's blood or breath-alcohol level is 0.20 or greater, if the person has caused death or serious bodily injury, or if the person is on pretrial release for a previous DUI or BUI offense. If the person is subsequently convicted of DUI, the court shall order the person to pay the costs of evaluation and treatment. The CS does not alter any of the requirements of 316.193(5), F.S., requiring probation, substance abuse education, evaluation, and treatment.

Section 2: The CS amends s. 316.1932, F.S., to require that law enforcement officers inform a person arrested for DUI that a refusal of a blood or breath test requested by a law enforcement officer is a misdemeanor. This warning is in addition to the other warnings required by s. 316.1932, F.S.

Section 3: The CS amends s. 316.1933, F.S. The CS requires law enforcement officers to order breath or blood testing of all drivers involved in accidents involving death or serious bodily injury where there is probable cause to believe the driver is under the influence. Current law states that if the officer has probable cause to believe that the driver who caused the incident was under the influence, the officer could require a blood test. The CS also states that the testing need not be incident to a lawful arrest.

The law enforcement officer is required to offer any person subject to a blood test (except to a person the officer has probable cause to believe was DUI) the opportunity to submit to a breath test, if the person is conscious and capable of submitting to the breath test. If the person submits to a breath test and a valid reading is obtained, the blood test shall be waived.

Section 4: The CS creates s. 316.1939, F.S., which would make it a crime for refusing to submit to a breath, blood or urine test as described in s. 316.1932, F.S., when the officer requesting the test has probable cause to believe the person was driving or in actual physical control of a vehicle while under the influence of alcoholic beverages, chemical substances, or controlled substances.

A person convicted of refusing a test is guilty of a first degree misdemeanor and subject to up to one year in the county jail and a $1,000 fine. Currently, drivers who refuse are subject to administrative suspensions of their driver's licenses. Under the CS, such suspensions are not affected by the outcome of any criminal proceedings and any administrative proceedings will not affect any criminal proceedings.

Section 5: The CS amends the boating under the influence statute (BUI), s. 327.35, F.S., to conform to the changes made by Section 1 to the DUI statute. It makes a third offense a third degree felony. It also amends statutory references to apply to the boating under the influence statute rather than the driving under the influence statute.

Section 6: The CS amends the BUI statute to conform to the changes made by Section 2 to the DUI statute. This section requires the law enforcement officer to inform the defendant, in addition to the other warnings already required, that refusal to submit to the required test is a misdemeanor.

Section 7: The CS amends the BUI statute to conform to the changes made by Section 3 to the DUI statute. The CS requires law enforcement officers to order breath or blood testing of all operators of vessels involved in accidents involving death or serious bodily injury where there is probable cause to believe the driver is under the influence. If the operator submits to a breath test and a valid reading is obtained, the blood test requirement is waived.

Section 8: The CS makes a refusal to submit to a lawful test for drugs or alcohol in a BUI situation a misdemeanor as in Section 4.

Section 9: The CS adds new conditions for which a court may find meet the criteria for involuntary admission under s. 387.675, F.S. Under this CS, a court may find that a person has lost the power of self-control with regard to substance abuse and is likely to inflict physical harm on himself, herself, or others if the person has been arrested for DUI or BUI and the person:

- Has a prior DUI or BUI conviction;
- Has a blood or breath-alcohol level of 0.20 or greater;
- Has, by reason of operation of a motor vehicle or vessel, caused death or serious bodily injury; or
- Is on pretrial release for prior DUI or BUI arrest.

Once such a finding has been made, the court may order involuntary admission and stabilization or involuntary treatment if, after a hearing, it finds it necessary as provided in ss. 397.6811-397.6977, F.S.

The CS provides that if a person is placed in protective custody, meets the criteria for involuntary admission, and is a qualified resident pursuant to s. 212.055(4)(d), F.S., he or she could have the costs of evaluation and treatment paid for by the funds from the surtax. Under s. 212.055(4), F.S., counties can collect an indigent health care sales surtax. Under this CS, funds from this surtax would be used to pay for the costs of evaluation and treatment of qualified residents, as defined by s. 212.055(4)(d), F.S. If a person who is treated with these funds is subsequently convicted of DUI or BUI, the court shall enter a civil judgment against the person for the cost of evaluation and treatment.

Section 10: The CS amends s. 921.0022, F.S., to score BUI offenses in the Criminal Punishment Code (Code). Under the CS, felony BUI is a Level 6 offense and BUI manslaughter is a Level 9 offense. The offense severity ranking chart lists 10 offense levels with Level 10 being the most severe of the offenses. The CS also amends references to felony DUI in the Code to show that only 3 convictions are required rather than the current 4 convictions.

Section 11: The CS amends s. 938.07, F.S., to impose additional court costs of $135 in cases of BUI. The court costs are currently imposed in DUI cases. The CS also corrects a statutory reference to the Brain and Spinal Cord Injury Rehabilitation Trust Fund.

Section 12: The CS provides an effective date of January 1, 2001.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

Making refusal to test criminal:

Several other states have enacted laws similar to the one proposed by the CS which would provide for criminal penalties for refusing to submit to chemical testing for DUI. These states include Alaska, Minnesota, Nebraska, New York, and California. Alaska, Minnesota, and Nebraska all penalize the failure to submit to chemical testing by making it a crime. California provides "enhanced penalties" for refusal to test, if the person is convicted of DUI. New York, on the other hand, criminalizes the refusal to take a *preliminary* breath test, but does not criminally punish the refusal to submit to a post-arrest breath test.

These state statutes have come under attack on various constitutional grounds, including violations of the Fifth Amendment right against self-incrimination, the Fourth Amendment right against unreasonable search and seizure, the Sixth Amendment right to counsel, the Equal Protection Clause, the Due Process Clause, and the Double Jeopardy Clause.

The Nebraska Supreme Court in *State v. Green*, 229 Neb. 493, 427 N.W. 2d 304 (Neb. 1988) stated that driving is not a fundamental right, but a privilege granted by the State. The Court went on to hold that "evidence obtained from a driver by testing body fluids in the implied consent context in not testimonial or communicative in nature and does not fall within the constitutional right against self-incrimination." *Id.* at 496. The Court thus upheld the criminal refusal statute against a Fifth Amendment challenge.

The Nebraska Supreme Court also held that there is no double jeopardy violation when a defendant is convicted of DUI after being convicted earlier for refusal to submit to a chemical test because these statutes create separate and distinct offenses, each requiring proof of an element that is unique to each offense. *State v. Stabler*, 209 Neb. 298, 306 N.W. 2d 925 (Neb. 1981).

The First District Court of Appeal in California has also upheld its statute providing enhanced criminal penalties for refusal to test after being convicted for DUI against a double jeopardy challenge in *Ellis v. Pierce*, 230 Cal.App.3d 1557, 282 Cal. Rptr. 93 (Cal.Ct. App. 1991). This statute was also found not to violate the privilege against self-incrimination nor was it violative of substantive due process. *Quintana v. Municipal Court for San Leandro-Hayward Judicial District of Alameda County*, 192 Cal.App.3d. 361, 237 Cal. Rptr. 397 (Cal.Ct. App. 1987).

Similarly, the Court of Appeals of Alaska held there was no double jeopardy violation for revoking a defendant's driver's license for refusing to submit to testing or for having test results indicate an unlawful blood alcohol level and later prosecuting the defendant for the crime of DUI or the crime of refusal to submit to testing. *State v. Zerkel*, 900 P.2d 744 (Alaska App. 1995). The court concluded that administrative license revocation is a

"remedial" sanction (removing unsafe drivers from the road) not a "punitive" sanction for federal double jeopardy purposes. Thus, the court held that license revocation does not impede the subsequent prosecution for DUI. *Id.* at 758.

The Court of Appeals of Alaska has also held that the law criminalizing refusal to submit to chemical testing is rationally related to preventing drunk driving and as such, does not violate substantive due process. The statute also does not violate the prohibition against cruel and unusual punishment under *Jensen v. State*, 667 P.2d 188 (Alaska App. 1983). The court concluded that the legislature could reasonably decide that breath exams are helpful in identifying and successfully prosecuting drunk drivers and that a refusal to test is an impediment to those goals. "Since a defendant has no right to refuse such an examination, citing *Schmerber v. California*, 384 U.S. 757, 86 S.Ct. 1826, 16 L.Ed.2d 908 (1966), penalizing a refusal serves the legitimate legislative goals of deterring such refusals and ensuring that those who refuse gain no benefit by their refusal."*Id.* at 190.

Furthermore, the United States Court of Appeals for the Ninth Circuit in *Deering v. Brown*, 839 F.2d 539 (9th Cir.1988) held that the admission of a defendant's refusal to submit to a breath test under Alaska's criminal refusal statute did not violate the Fifth Amendment, even though the state made refusal a separate crime. *Id*. The Ninth Circuit Court of Appeals noted in *Deering* that two lower courts in New York reached different results when considering a similar challenge to their statute criminalizing a preliminary breath test. Compare *People v. Hamza*, 109 Misc.2d 1055, 441 N.Y.S.2d 579, 581 (Gates Town Ct. 1981) (imposition of criminal rather than civil penalties for refusal makes the statute unconstitutional), and *People v. Brockum*, 88 A.D.2d 697, 451 N.Y.S.2d 326, 327 (N.Y.App.Div. 1982) (statute does not violate the fifth amendment because the taking of a breath test does not involve testimonial compulsion).

In addition, the United States District Court for Alaska in *Burnett v. Municipality of Anchorage*, 634 F. Supp. 1029 (D. Alaska 1986) held that Alaska's imposition of criminal penalties on a driver for refusal to submit to breath testing does not violate the right of equal protection nor does it violate a driver's Fourth Amendment rights. *Id.*

Another court looking at its statute criminalizing the refusal to submit to testing and holding that criminal prosecution for refusal in certain instances did not violate the privilege against compelled self-incrimination was the Minnesota Supreme Court in *McDonnell v. Commissioner of Public Safety*, 473 N.W.2d 848 (Minn. 1991). The Court did hold, however, that under its state constitution, the statute violated due process and the defendant's Sixth Amendment right to counsel. *Id.*

If this CS is enacted, whether the Florida courts will be persuaded to follow the previously cited cases upholding the constitutionality of their statutes or whether they will distinguish the newly enacted statute and find it violates one of these enumerated constitutional rights on federal or state grounds is ultimately a question that the appellate courts in Florida will have to resolve.

Involuntary admissions:

The CS permits the court to find a person has lost the power of self-control with respect to substance abuse and is likely to inflict physical harm on himself or others if the person has a prior DUI or BUI conviction, if the person's BAL is 0.20 or greater, if the person has caused death or serious bodily injury, or if the person is on pretrial release for another DUI or BUI offense. In *Kansas v. Hendricks*, 521 U.S. 346 (1997), the court approved a Kansas statute authorizing the civil commitment of sexual predators if the person has been charged or convicted of a sexually violent offense and suffers from a mental disorder that makes it likely that the person will engage in such behavior again. This CS does not specifically require a mental disorder and one could argue that it permits commitment upon a finding that a person has committed a crime and might commit another one. *Hendricks* warned that "a finding of dangerousness, standing alone, is ordinarily not a sufficient ground upon which to justify indefinite voluntary civil commitment." *Hendricks*, 521 U.S. at 358.

However, *Hendricks* did not address a situation, like here, where a person has consistently engaged in substance abuse and has endangered self and others by driving or operating vehicles or vessels. Further, a person committed under chapter 397, F.S., is not committed indefinitely. If the court orders assessment and stabilization, the person is released once stabilization is complete and cannot be held longer than 5 days absent a court order. ss. 397.6811-397.6822, F.S. If the court orders involuntary treatment, the period cannot exceed 60 days absent a court order. ss. 397.693-397.6977, F.S. Clients can be released from involuntary treatment early if the conditions requiring treatment no longer exist. s. 397.6971, F.S.

Hendricks rejected arguments that civil commitment violated double jeopardy or ex post facto principles. *Hendricks,* 521 U.S. at 361-370. The proceedings in *Hendricks*, as here, are civil in nature and not criminal. *Id*. at 361. Neither the Kansas act nor this one implicates the primary objectives of criminal punishment: retribution and punishment. *Id.* at 361-362. The CS's purpose is to see if DUI and BUI offenders have a substance abuse problem and provide treatment if necessary.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

An indeterminate amount of revenue should be generated due to the number of increased fines imposed by the courts associated with DUI and BUI prosecutions.

The Criminal Justice Impact Conference met on March 29, 2000, and projected the total cumulative five year impact on the inmate population as follows:

Fiscal Year	Cumulative Projected Impact on Inmate Population
2000-2001	73
2001-2002	185
2002-2003	259
2003-2004	331
2004-2005	361

Assuming the Department of Corrections would have to construct a new prison bed for each additional inmate, the total cost during FY 00-01 would be $7,323,225. Total cumulative projected costs, assuming that new prison beds will have to be built, are projected to be $34.0 million over the five year period ending June 30, 2005. Currently the Department of Corrections has a funded bed capacity of 83,667 and has an inmate population of 69,867 as of February 2000.

The Department of Corrections reports that Section 1 of the CS may have an impact on the offender population in community corrections, as offenders currently sentenced as misdemeanors will now be sentenced as third degree felons. If this sentence is one that results in a non-state prison sanction in either probation or community control, more DUI and BUI offenders will be supervised in the community.

The CS creates a new criminal offense and penalties in s. 316.1939, F.S., for refusal to submit to blood alcohol testing. The new penalty for this offense is a first-degree misdemeanor punishable by up to one year in county jail and a fine not to exceed $1,000, which may impact local jail inmate populations.

The CS permits a law enforcement officer to place a person in protective custody if the person has previously been convicted of a DUI or a BUI offense, if the person's blood alcohol level is 0.20 or higher, or if the person is on pretrial release for a previous DUI or BUI offense. To the extent that this occurs, protective custody settings (which include hospitals, licensed detoxification or addictions receiving facilities and municipal or county jails) could sustain a fiscal impact.

The CS requires costs of involuntary admission for treatment of qualified residents to be paid from the funds collected from the indigent care surtax pursuant to s. 212.055 (4)(d), F.S. The indigent care surtax is distributed by the Department of Revenue to the clerk of the circuit court for payments to providers of county health care services in certain counties.

The Department of Transportation reports that the changes resulting from the CS will require modifications to the driver license software system costing approximately $10,750.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.