Florida Senate - 2005

By the Committee on Transportation

596-463A-05

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1	A bill to be entitled
2	An act relating to the disposition of traffic
3	infractions; amending s. 318.14, F.S.;
4	providing that a person who is cited for a
5	noncriminal traffic infraction may elect to
б	attend, under certain circumstances, an
7	intermediate driver improvement course approved
8	by the Department of Highway Safety and Motor
9	Vehicles; providing requirements for such
10	election; amending s. 322.025, F.S.; requiring
11	that the department deduct points from a
12	person's driving record for certain traffic
13	violations in another state or under federal
14	law; providing that such person may elect to
15	attend a driver improvement course; providing
16	certain limitations; amending s. 318.1451,
17	F.S., relating to a fee collected by driver
18	improvement schools; conforming provisions to
19	changes made by the act; providing an effective
20	date.
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22	Be It Enacted by the Legislature of the State of Florida:
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24	Section 1. Subsection (9) of section 318.14, Florida
25	Statutes, is amended to read:
26	318.14 Noncriminal traffic infractions; exception;
27	procedures
28	(9) Any person who is cited for an infraction under
29	this section other than a violation of s. 320.0605, s.
30	320.07(3)(a) or (b), s. 322.065, s. 322.15(1), s. 322.61, or
31	s. 322.62 may, in lieu of a court appearance, elect to attend
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1	in the location of his or her choice within this state a
2	driver improvement course approved by the Department of
3	Highway Safety and Motor Vehicles for the first or second
4	election or an intermediate driver improvement course approved
5	by the Department of Highway Safety and Motor Vehicles for the
6	third, fourth, or fifth election. In such a case, adjudication
7	must be withheld; points, as provided by s. 322.27, may not be
8	assessed; and the civil penalty that is imposed by s.
9	318.18(3) must be reduced by 18 percent; however, a person may
10	not make an election under this subsection if the person has
11	made an election under this subsection in the preceding 12
12	months. A person may make no more than five elections under
13	this subsection. The requirement for community service under
14	s. 318.18(8) is not waived by a plea of nolo contendere or by
15	the withholding of adjudication of guilt by a court.
16	Section 2. Section 322.025, Florida Statutes, is
17	amended to read:
18	322.025 Driver improvement; points deducted for
19	out-of-state violation or federal violation
20	(1) The department may implement programs to improve
21	the driving ability of the drivers of this state. Such
22	programs may include, but shall not be limited to, safety
23	awareness campaigns, driver training, and licensing
24	improvement. Motorcycle driver improvement programs
25	implemented pursuant to this section or s. 322.0255 shall be
26	funded by the motorcycle safety education fee collected
27	pursuant to s. 320.08(1)(c), which shall be deposited in the
28	Highway Safety Operating Trust Fund of the department and
29	appropriated for that purpose.
30	(2) If a person has been convicted in another state of
31	<u>a violation that, if committed in this state, would be a</u>
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1	violation of the traffic laws of this state or has been
2	convicted of an offense under any federal law that
3	substantially conforms to the traffic laws of this state,
4	except for a violation of s. 322.26, and that person has been
5	assessed points due to any such conviction, he or she may
б	elect to attend in the location of his or her choice within
7	this state a driver improvement course approved by the
8	department. In such case, the department shall deduct points,
9	as provided by s. 322.27, from the person's driving record.
10	The person may not make an election under this subsection if
11	he or she has made an election under this subsection or s.
12	318.14(9) during the preceding 12 months. A person may not
13	make more than a combined total of five elections under this
14	subsection and s. 318.14(9).
15	Section 3. Subsection (4) of section 318.1451, Florida
16	Statutes, is amended to read:
17	318.1451 Driver improvement schools
18	(4) In addition to a regular course fee, an assessment
19	fee in the amount of \$2.50 shall be collected by the school
20	from each person who elects to attend a course, as it relates
21	to ss. 318.14(9), <u>322.025(2),</u> 322.0261, 322.291, and
22	627.06501, which shall be remitted to the Department of
23	Highway Safety and Motor Vehicles and deposited in the Highway
24	Safety Operating Trust Fund to administer this program and to
25	fund the general operations of the department.
26	Section 4. This act shall take effect July 1, 2005.
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2	SENATE SUMMARY
3	Authorizes a person to elect to attend an intermediate
4	driver improvement course as a third, fourth, or fifth election rather than a basic driver improvement course.
5	Requires the Department of Highway Safety and Motor Vehicles to deduct points from a person's driving record
б	for certain traffic violations that occur in another state or that violate federal law.
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