

By the Committee on Transportation and Economic Development
Appropriations; and Senator Fasano

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1 A bill to be entitled
2 An act relating to highway safety; amending s.
3 316.066, F.S.; removing provisions requiring the
4 driver of a vehicle that is involved in a crash
5 resulting in bodily injury to or the death of any
6 person or damage to any vehicle or other property to
7 forward a written report of the crash to the
8 Department of Highway Safety and Motor Vehicles within
9 a specified time; requiring every law enforcement
10 officer who investigates a motor vehicle crash to
11 complete and submit to the department a Florida
12 Traffic Crash Report, Long Form, within a specified
13 time under certain circumstances; providing that in
14 cases in which a Florida Traffic Crash Report, Long
15 Form, is not required, the law enforcement officer may
16 complete a short-form crash report or provide a short-
17 form crash report to be completed by each party
18 involved in the crash; requiring the driver of a
19 vehicle that is involved in a crash that results in
20 damage to any vehicle or other property in an amount
21 of at least \$500 and that is not investigated by a law
22 enforcement agency to forward a written report of the
23 crash to the local law enforcement agency within a
24 specified time; requiring the local law enforcement
25 agency to maintain the short-form crash reports
26 prepared by law enforcement officers or parties
27 involved in the crash; amending s. 320.05, F.S.;
28 requiring that certain fees be imposed for electronic
29 access to registration data provided through the tax

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30 collector's office; requiring that the fees be
31 deposited into the Highway Safety Operating Trust Fund
32 in the Department of Highway Safety and Motor
33 Vehicles; amending s. 321.25, F.S.; authorizing the
34 Department of Highway Safety and Motor Vehicles to
35 charge a fee to persons attending certain training
36 events; amending s. 322.02, F.S.; revising legislative
37 intent relating to the transition of all driver's
38 license services from the department to the county tax
39 collectors by a specified date; amending s. 322.135,
40 F.S.; requiring the department to authorize any or all
41 tax collectors in the state to serve as agents for the
42 department by providing certain specified driver's
43 license services; requiring the department, in
44 conjunction with the Tax Collectors' Association, to
45 develop a plan to provide for the transition of all
46 driver's license issuance services to the county tax
47 collectors who are constitutional officers; requiring
48 that the plan be submitted to the President of the
49 Senate and the Speaker of the House of Representatives
50 by a specified date; removing obsolete provisions
51 relating to the issuance of driver's licenses by the
52 county tax collector; amending s. 322.20, F.S.;

53 authorizing the Department of Highway Safety and Motor
54 Vehicles to charge a fee for searching for an
55 individual's driver history record that is not on file
56 or that meets requested criteria; authorizing the
57 county clerks of court and certain tax collectors to
58 provide driver records to any person requesting such

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59 records and to assess a fee for such service; amending
60 ss. 322.2615, 324.051, and 921.0022, F.S.; conforming
61 cross-references; providing an effective date.

62
63 Be It Enacted by the Legislature of the State of Florida:

64
65 Section 1. Section 316.066, Florida Statutes, amended to
66 read:

67 316.066 Written reports of crashes.—

68 ~~(1) The driver of a vehicle which is in any manner involved~~
69 ~~in a crash resulting in bodily injury to or death of any person~~
70 ~~or damage to any vehicle or other property in an apparent amount~~
71 ~~of at least \$500 shall, within 10 days after the crash, forward~~
72 ~~a written report of such crash to the department or traffic~~
73 ~~records center. However, when the investigating officer has made~~
74 ~~a written report of the crash pursuant to subsection (3), no~~
75 ~~written report need be forwarded to the department or traffic~~
76 ~~records center by the driver.~~

77 ~~(2) The receiving entity may require any driver of a~~
78 ~~vehicle involved in a crash of which a written report must be~~
79 ~~made as provided in this section to file supplemental written~~
80 ~~reports whenever the original report is insufficient in the~~
81 ~~opinion of the department and may require witnesses of crashes~~
82 ~~to render reports to the department.~~

83 (1)(3)(a) Every law enforcement officer who in the regular
84 course of duty investigates a motor vehicle crash shall complete
85 and submit to the department a Florida Traffic Crash Report,
86 Long Form, no later than 10 days after completing the
87 investigation:

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88 1. Which crash resulted in death or personal injury ~~shall,~~
89 ~~within 10 days after completing the investigation, forward a~~
90 ~~written report of the crash to the department or traffic records~~
91 ~~center.~~

92 2. Which crash involved a violation of s. 316.061(1) or s.
93 316.193 ~~shall, within 10 days after completing the~~
94 ~~investigation, forward a written report of the crash to the~~
95 ~~department or traffic records center.~~

96 3. In which crash a vehicle was rendered inoperative to a
97 degree that ~~which~~ required a wrecker to remove it from traffic
98 ~~may, within 10 days after completing the investigation, forward~~
99 ~~a written report of the crash to the department or traffic~~
100 ~~records center if such action is appropriate, in the officer's~~
101 ~~discretion.~~

102 (b) In every case in which a Florida Traffic Crash Report,
103 Long Form, ~~crash report~~ is not required by this section ~~and a~~
104 ~~written report to a law enforcement officer is not prepared, the~~
105 ~~law enforcement officer may complete a short-form crash report~~
106 or provide a short-form crash report to be completed by ~~shall~~
107 ~~provide~~ each party involved in the crash ~~a short-form report,~~
108 ~~prescribed by the state, to be completed by the party.~~ The
109 short-form report must include:

- 110 1. The date, time, and location of the crash;
- 111 2. A description of the vehicles involved;
- 112 3. The names and addresses of the parties involved;
- 113 4. The names and addresses of witnesses;
- 114 5. The name, badge number, and law enforcement agency of
115 the officer investigating the crash; and
- 116 6. The names of the insurance companies for the respective

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117 parties involved in the crash.

118 (c) Each party to the crash shall provide the law
119 enforcement officer with proof of insurance to be included in
120 the crash report. If a law enforcement officer submits a report
121 on the accident, proof of insurance must be provided to the
122 officer by each party involved in the crash. Any party who fails
123 to provide the required information is guilty of an infraction
124 for a nonmoving violation, punishable as provided in chapter 318
125 unless the officer determines that due to injuries or other
126 special circumstances such insurance information cannot be
127 provided immediately. If the person provides the law enforcement
128 agency, within 24 hours after the crash, proof of insurance that
129 was valid at the time of the crash, the law enforcement agency
130 may void the citation.

131 (d) The driver of a vehicle that is in any manner involved
132 in a crash resulting in damage to any vehicle or other property
133 in an amount of at least \$500 and the crash was not investigated
134 by a law enforcement agency shall, within 10 days after the
135 crash, forward a written report of the crash to the local law
136 enforcement agency. The receiving law enforcement entity may
137 require witnesses of crashes to render reports and any driver of
138 a vehicle involved in a crash of which a written report must be
139 made as provided in this section to file supplemental written
140 reports whenever the original report is deemed insufficient by
141 the receiving law enforcement agency.

142 (e) Short-form crash reports prepared by law enforcement
143 officers or parties involved in the crash shall be maintained by
144 the local law enforcement agency.

145 (2)-(4)(a) One or more counties may enter into an agreement

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146 with the appropriate state agency to be certified by the agency
 147 to have a traffic records center for the purpose of tabulating
 148 and analyzing countywide traffic crash reports. The agreement
 149 must include: certification by the agency that the center has
 150 adequate auditing and monitoring mechanisms in place to ensure
 151 the quality and accuracy of the data; the time period in which
 152 the traffic records center must report crash data to the agency;
 153 and the medium in which the traffic records must be submitted to
 154 the agency.

155 (b) In the case of a county or multicounty area that has a
 156 certified central traffic records center, a law enforcement
 157 agency or driver must submit to the center within the time limit
 158 prescribed in this section a written report of the crash. A
 159 driver who is required to file a crash report must be notified
 160 of the proper place to submit the completed report.

161 (c) Fees for copies of public records provided by a
 162 certified traffic records center shall be charged and collected
 163 as follows:

- 164
- 165 For a crash report.....\$10 per copy.
- 166 For a homicide report.....\$25 per copy.
- 167 For a uniform traffic citation.....\$0.50 per copy.

168 The fees collected for copies of the public records provided by
 169 a certified traffic records center shall be used to fund the
 170 center or otherwise as designated by the county or counties
 171 participating in the center.

172 (3) ~~(5)~~ (a) Crash reports that reveal the identity, home or
 173 employment telephone number or home or employment address of, or
 174 other personal information concerning the parties involved in

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175 the crash and that are held by any agency that regularly
176 receives or prepares information from or concerning the parties
177 to motor vehicle crashes are confidential and exempt from s.
178 119.07(1) and s. 24(a), Art. I of the State Constitution for a
179 period of 60 days after the date the report is filed.

180 (b) Crash reports held by an agency under paragraph (a) may
181 be made immediately available to the parties involved in the
182 crash, their legal representatives, their licensed insurance
183 agents, their insurers or insurers to which they have applied
184 for coverage, persons under contract with such insurers to
185 provide claims or underwriting information, prosecutorial
186 authorities, victim services programs, radio and television
187 stations licensed by the Federal Communications Commission,
188 newspapers qualified to publish legal notices under ss. 50.011
189 and 50.031, and free newspapers of general circulation,
190 published once a week or more often, available and of interest
191 to the public generally for the dissemination of news. For the
192 purposes of this section, the following products or publications
193 are not newspapers as referred to in this section: those
194 intended primarily for members of a particular profession or
195 occupational group; those with the primary purpose of
196 distributing advertising; and those with the primary purpose of
197 publishing names and other personal identifying information
198 concerning parties to motor vehicle crashes.

199 (c) Any local, state, or federal agency that is authorized
200 to have access to crash reports by any provision of law shall be
201 granted such access in the furtherance of the agency's statutory
202 duties.

203 (d) As a condition precedent to accessing a crash report

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204 within 60 days after the date the report is filed, a person must
205 present a valid driver's license or other photographic
206 identification, proof of status, or identification that
207 demonstrates his or her qualifications to access that
208 information, and file a written sworn statement with the state
209 or local agency in possession of the information stating that
210 information from a crash report made confidential and exempt by
211 this section will not be used for any commercial solicitation of
212 accident victims, or knowingly disclosed to any third party for
213 the purpose of such solicitation, during the period of time that
214 the information remains confidential and exempt. In lieu of
215 requiring the written sworn statement, an agency may provide
216 crash reports by electronic means to third-party vendors under
217 contract with one or more insurers, but only when such contract
218 states that information from a crash report made confidential
219 and exempt by this section will not be used for any commercial
220 solicitation of accident victims by the vendors, or knowingly
221 disclosed by the vendors to any third party for the purpose of
222 such solicitation, during the period of time that the
223 information remains confidential and exempt, and only when a
224 copy of such contract is furnished to the agency as proof of the
225 vendor's claimed status.

226 (e) This subsection does not prevent the dissemination or
227 publication of news to the general public by any legitimate
228 media entitled to access confidential and exempt information
229 pursuant to this section.

230 (4) ~~(6)~~ (a) Any driver failing to file the written report
231 required under paragraph (1) (d) ~~subsection (1) or subsection (2)~~
232 commits a noncriminal traffic infraction, punishable as a

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233 nonmoving violation as provided in chapter 318.

234 (b) Any employee of a state or local agency in possession
235 of information made confidential and exempt by this section who
236 knowingly discloses such confidential and exempt information to
237 a person not entitled to access such information under this
238 section commits ~~is guilty of~~ a felony of the third degree,
239 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

240 (c) Any person, knowing that he or she is not entitled to
241 obtain information made confidential and exempt by this section,
242 who obtains or attempts to obtain such information commits ~~is~~
243 ~~guilty of~~ a felony of the third degree, punishable as provided
244 in s. 775.082, s. 775.083, or s. 775.084.

245 (d) Any person who knowingly uses confidential and exempt
246 information in violation of a filed written sworn statement or
247 contractual agreement required by this section commits a felony
248 of the third degree, punishable as provided in s. 775.082, s.
249 775.083, or s. 775.084.

250 (5)~~(7)~~ Except as specified in this subsection, each crash
251 report made by a person involved in a crash and any statement
252 made by such person to a law enforcement officer for the purpose
253 of completing a crash report required by this section shall be
254 without prejudice to the individual so reporting. ~~No~~ Such a
255 report or statement may not ~~shall~~ be used as evidence in any
256 trial, civil or criminal. However, subject to the applicable
257 rules of evidence, a law enforcement officer at a criminal trial
258 may testify as to any statement made to the officer by the
259 person involved in the crash if that person's privilege against
260 self-incrimination is not violated. The results of breath,
261 urine, and blood tests administered as provided in s. 316.1932

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262 or s. 316.1933 are not confidential and are ~~shall be~~ admissible
263 into evidence in accordance with ~~the provisions of~~ s.
264 316.1934(2). Crash reports made by persons involved in crashes
265 shall not be used for commercial solicitation purposes; however,
266 the use of a crash report for purposes of publication in a
267 newspaper or other news periodical or a radio or television
268 broadcast shall not be construed as "commercial purpose."

269 ~~(6)-(8)~~ A law enforcement officer, as defined in s.
270 943.10(1), may enforce this section.

271 Section 2. Subsection (3) of section 320.05, Florida
272 Statutes, is amended to read:

273 320.05 Records of the department; inspection procedure;
274 lists and searches; fees.—

275 (3) (a) The department may ~~is authorized~~, upon application
276 of any person and payment of the proper fees, ~~to~~ prepare and
277 furnish lists containing motor vehicle or vessel information in
278 such form as the department may authorize, ~~to~~ search the records
279 of the department and make reports thereof, and ~~to~~ make
280 photographic copies of the department records and attestations
281 thereof.

282 (b) Fees ~~therefor~~ shall be charged and collected as
283 follows:

284 1. For providing lists of motor vehicle or vessel records
285 for the entire state, or any part or parts thereof, divided
286 according to counties, a sum computed at a rate of not less than
287 1 cent nor more than 5 cents per item.

288 2. For providing noncertified photographic copies of motor
289 vehicle or vessel documents, \$1 per page.

290 3. For providing noncertified photographic copies of

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291 micrographic records, \$1 per page.

292 4. For providing certified copies of motor vehicle or
293 vessel records, \$3 per record.

294 5. For providing noncertified computer-generated printouts
295 of motor vehicle or vessel records, 50 cents per record.

296 6. For providing certified computer-generated printouts of
297 motor vehicle or vessel records, \$3 per record.

298 7. For providing electronic access to motor vehicle,
299 vessel, and mobile home registration data requested by tag,
300 vehicle identification number, title number, or decal number, 50
301 cents per item.

302 8. For providing electronic access to driver's license
303 status report by name, sex, and date of birth or by driver
304 license number, 50 cents per item.

305 9. For providing lists of licensed mobile home dealers and
306 manufacturers and recreational vehicle dealers and
307 manufacturers, \$15 per list.

308 10. For providing lists of licensed motor vehicle dealers,
309 \$25 per list.

310 11. For each copy of a videotape record, \$15 per tape.

311 12. For each copy of the Division of Motor Vehicles
312 Procedures Manual, \$25.

313 (c) Fees collected pursuant to paragraph (b) shall be
314 deposited into the Highway Safety Operating Trust Fund.

315 (d) The department shall furnish such information without
316 charge to any court or governmental entity.

317 (e) When motor vehicle, vessel, or mobile home registration
318 data is provided by electronic access through a tax collector's
319 office, the applicable fee as provided in paragraph (b) must be

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320 ~~collected and deposited pursuant to paragraph (c) a fee for the~~
321 ~~electronic access is not required to be assessed. However, at~~
322 ~~the tax collector's discretion, a fee equal to or less than the~~
323 ~~fee charged by the department for such information may be~~
324 ~~assessed by the tax collector for the electronic access.~~
325 ~~Notwithstanding paragraph (c), any funds collected by the tax~~
326 ~~collector as a result of providing such access shall be retained~~
327 ~~by the tax collector.~~

328 Section 3. Section 321.25, Florida Statutes, is amended to
329 read:

330 321.25 Training provided at patrol schools.—The Department
331 of Highway Safety and Motor Vehicles may ~~is authorized to~~
332 provide for the training of law enforcement officials and
333 individuals in matters relating to the duties, functions, and
334 powers of the Florida Highway Patrol in the schools established
335 by the department for the training of highway patrol candidates
336 and officers. The Department of Highway Safety and Motor
337 Vehicles may ~~is authorized to~~ charge a fee for providing the
338 training authorized by this section. The fee shall be charged to
339 persons attending the training. The fee shall be based on the
340 Department of Highway Safety and Motor Vehicles' recruiting
341 costs and a portion of the costs for providing the training.7
342 The ~~and such~~ costs may include, but are not limited to, tuition,
343 lodging, and meals. Revenues from the fees shall be used to
344 offset the Department of Highway Safety and Motor Vehicles'
345 costs for providing the training. The cost of training local
346 enforcement officers shall be paid for by their respective
347 offices, counties or municipalities, as the case may be. Such
348 cost shall be deemed a proper county or municipal expense or a

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349 proper expenditure of the office of sheriff.

350 Section 4. Subsection (1) of section 322.02, Florida
351 Statutes, is amended to read:

352 322.02 Legislative intent; administration.-

353 (1) The Legislature finds that over the past several years
354 the department and individual county tax collectors have entered
355 into contracts for the delivery of full and limited driver
356 license services where such contractual relationships best
357 served the public interest through state administration and
358 enforcement and local government implementation. It is the
359 intent of the Legislature to complete the transition of all
360 driver license issuance services to those tax collectors who are
361 constitutional officers in this state no later than June 30,
362 2015. The transition of services to charter-appointed county tax
363 collectors may occur on a limited basis as directed by the
364 department ~~that future interests and processes for developing~~
365 ~~and expanding the department's relationship with tax collectors~~
366 ~~through contractual relationships for the delivery of driver~~
367 ~~license services be achieved through the provisions of this~~
368 ~~chapter, thereby serving best the public interest considering~~
369 ~~accountability, cost-effectiveness, efficiency, responsiveness,~~
370 ~~and high-quality service to the drivers in Florida.~~

371 Section 5. Section 322.135, Florida Statutes, is amended to
372 read:

373 322.135 Driver's license agents.-

374 (1) The department shall ~~may~~, upon application, authorize
375 any or all of the tax collectors in the several counties of the
376 state, subject to the requirements of law, in accordance with
377 rules of the department, to serve as its agent for the provision

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378 of specified driver's license services.

379 (a) These services shall be limited to the issuance of
380 driver's licenses and identification cards as authorized by this
381 chapter.

382 (b) Each tax collector who is authorized by the department
383 to provide driver's license services shall bear all costs
384 associated with providing those services.

385 (c) A service fee of \$6.25 shall be charged, in addition to
386 the fees set forth in this chapter, for providing all services
387 pursuant to this chapter. The service fee may not be charged:

388 1. More than once per customer during a single visit to a
389 tax collector's office.

390 2. For a reexamination requested by the Medical Advisory
391 Board or required pursuant to s. 322.221.

392 3. For a voter registration transaction.

393 ~~4. For changes in an organ donation registration.~~

394 4.5. In violation of any federal or state law.

395 (2) Each tax collector is required to give a good and
396 sufficient surety bond, payable to the department, conditioned
397 upon his or her faithfully and truly performing the duties
398 imposed upon him or her according to the requirements of law and
399 the rules of the department and upon his or her accounting for
400 all materials, records, and other property and money that come
401 into his or her possession or control by reason of performing
402 these duties.

403 (a) The amount of the bond must be determined by the
404 department as an amount not less than 10 percent above the
405 average of the daily deposits of each tax collector.

406 (b) If a tax collector is also an agent of the department

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407 for purposes of s. 320.03, the amount of the bond must be at
408 least 10 percent above the average of the total daily deposits
409 of all funds received by the tax collector on behalf of the
410 department.

411 (c) Notwithstanding the provisions of s. 320.03, only one
412 bond is required in order for a tax collector to serve as an
413 agent of the department under chapters 320 and 322.

414 (3) Each tax collector shall keep a full and complete
415 record of all materials, records, and other properties received
416 by him or her from the department, or from any other source, and
417 shall make prompt remittance of moneys collected by him or her
418 at such times and in such manner as prescribed by law, in
419 accordance with departmental rules.

420 (4) A tax collector may not issue or renew a driver's
421 license if he or she has any reason to believe that the licensee
422 or prospective licensee is physically or mentally unqualified to
423 operate a motor vehicle. The tax collector may direct any such
424 licensee to the department for examination or reexamination
425 under s. 322.221.

426 (5) The department, in conjunction with the Tax Collectors'
427 Association, shall develop a plan to provide for the transition
428 of all driver's license issuance services to the county tax
429 collectors who are constitutional officers. The transition plan
430 shall be submitted to the President of the Senate and the
431 Speaker of the House of Representatives by February 1, 2011. The
432 transition plan must include a timeline to complete the full
433 transition of all driver's license issuance services no later
434 than June 30, 2015, and may include, but need not be limited to,
435 recommendations on the use of regional service centers,

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436 interlocal agreements, and equipment. ~~The county tax collector~~
437 ~~at his or her option may apply to the department for approval by~~
438 ~~the executive director to be the exclusive agent of the~~
439 ~~department for his or her county to administer driver license~~
440 ~~services as provided and authorized in this chapter.~~

441 ~~(a) The application by the county tax collector shall be in~~
442 ~~writing to the executive director of the department. The~~
443 ~~application must be submitted by September 1 to be effective for~~
444 ~~the state's subsequent fiscal year beginning July 1.~~

445 ~~(b) The department shall provide a form for such~~
446 ~~application, which shall include the following information:~~

447 ~~1. Locations within the county where offices and branch~~
448 ~~offices for driver license services are proposed.~~

449 ~~2. The designation by the tax collector of the driver~~
450 ~~license functions to be performed by the tax collector in the~~
451 ~~county.~~

452 ~~3. Any anticipated capital acquisition or construction~~
453 ~~costs.~~

454 ~~4. A projection of equipment available or to be provided by~~
455 ~~the department.~~

456 ~~5. All anticipated operating costs, including facilities,~~
457 ~~equipment, and personnel to administer driver license services.~~

458 ~~(c) The department shall review applications on or before~~
459 ~~September 1 of each year. The department shall compare the costs~~
460 ~~included in the information submitted in the application with~~
461 ~~the related costs incurred by the department to accomplish the~~
462 ~~same level of services. The department shall approve or deny an~~
463 ~~application within 60 calendar days after the application is~~
464 ~~received unless the department and the applicant agree mutually~~

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465 ~~to a specific alternative date.~~

466 ~~(d) The department may provide technical assistance to an~~
467 ~~applicant upon request.~~

468 ~~(6) Administration of driver license services by a county~~
469 ~~tax collector as the exclusive agent of the department must be~~
470 ~~revenue neutral with no adverse state fiscal impact and with no~~
471 ~~adverse unfunded mandate to the tax collector.~~

472 ~~(7) Upon approval by the department for a tax collector to~~
473 ~~provide exclusive driver license services in a county, the~~
474 ~~department and the applicable tax collector shall develop a~~
475 ~~transition plan for the orderly transfer of service~~
476 ~~responsibilities to the tax collector. This plan shall include,~~
477 ~~but is not limited to:~~

478 ~~(a) The specifics of any possible use of any state-owned or~~
479 ~~leased facilities giving consideration to lease expiration date,~~
480 ~~cancellation provisions, and possibilities for sublease of such~~
481 ~~facilities.~~

482 ~~(b) Consideration of staffing needs of the tax collector,~~
483 ~~either the assumption by the collector or departmental~~
484 ~~relocation of employees adversely affected.~~

485 ~~(c) The execution of a standard agreement between the~~
486 ~~department and the tax collector for providing driver license~~
487 ~~services.~~

488 ~~(8) The county tax collector, as the exclusive agent of the~~
489 ~~Department of Highway Safety and Motor Vehicles, shall be paid~~
490 ~~fees for driver license services.~~

491 ~~(6)~~ (9) Notwithstanding chapter 116, each county officer
492 within this state who is authorized to collect funds provided
493 for in this chapter shall pay all sums officially received by

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494 the officer into the State Treasury no later than 5 working days
495 after the close of the business day in which the officer
496 received the funds. Payment by county officers to the state
497 shall be made by means of electronic funds transfers.

498 Section 6. Subsections (10) and (11) of section 322.20,
499 Florida Statutes, are amended to read:

500 322.20 Records of the department; fees; destruction of
501 records.-

502 (10) The Division of Driver Licenses may ~~is authorized,~~
503 upon application of any person and payment of the proper fees,
504 ~~to~~ search and ~~to~~ assist such person in the search of the records
505 of the department and make reports thereof and ~~to~~ make
506 photographic copies of the departmental records and attestations
507 thereof.

508 (11) (a) The department may charge the following fees for
509 the following services and documents:

510 1. For providing a transcript of any one individual's
511 driver history record or any portion thereof for the past 3
512 years ~~or for searching for such record when no record is found~~
513 ~~on file~~.....\$8

514 2. For providing a transcript of any one individual's
515 driver history record or any portion thereof for the past 7
516 years ~~or for searching for such record when no record is found~~
517 ~~on file~~.....\$10

518 3. For providing a certified copy of a transcript of the
519 driver history record or any portion thereof for any one
520 individual.....\$10

521 4. For providing a certified photographic copy of a
522 document, per page.....\$1

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523 5. For providing an exemplified record.....\$15

524 6. For providing photocopies of documents, papers, letters,
525 clearances, or license or insurance status reports, per
526 page.....\$0.50

527 7. For assisting persons in searching any one individual's
528 driver record at a terminal located at the department's general
529 headquarters in Tallahassee.....\$2

530 8. For searching for any one individual's driver history
531 record when no record is found on file.....\$1

532 9. For electronically searching for any one individual's
533 driver history record to determine if the record meets requested
534 criteria.....\$0.10

535 (b) The department shall furnish such information without
536 charge to any local, state, or federal law enforcement agency or
537 court upon proof satisfactory to the department as to the
538 purpose of the investigation.

539 (c) Any tax collectors authorized under s. 322.135, and any
540 county clerk of court, may provide 3-year, 7-year, or complete
541 driver records to any person requesting such records upon
542 appropriate payment. In addition, any clerk of court and tax
543 collector may assess the fee listed in s. 322.135(1)(c) for this
544 service. The applicable record fees listed in paragraph (a) must
545 be remitted to the department no later than 5 days after payment
546 is received unless a shorter remittance period is required by
547 law.

548 Section 7. Subsection (2) of section 322.2615, Florida
549 Statutes, is amended to read:

550 322.2615 Suspension of license; right to review.-

551 (2) Except as provided in paragraph (1)(a), the law

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552 enforcement officer shall forward to the department, within 5
553 days after issuing the notice of suspension, the driver's
554 license; an affidavit stating the officer's grounds for belief
555 that the person was driving or in actual physical control of a
556 motor vehicle while under the influence of alcoholic beverages
557 or chemical or controlled substances; the results of any breath
558 or blood test or an affidavit stating that a breath, blood, or
559 urine test was requested by a law enforcement officer or
560 correctional officer and that the person refused to submit; the
561 officer's description of the person's field sobriety test, if
562 any; the notice of suspension; and a copy of the crash report,
563 if any. The failure of the officer to submit materials within
564 the 5-day period specified in this subsection and in subsection
565 (1) does not affect the department's ability to consider any
566 evidence submitted at or prior to the hearing. The officer may
567 also submit a copy of a videotape of the field sobriety test or
568 the attempt to administer such test. Materials submitted to the
569 department by a law enforcement agency or correctional agency
570 shall be considered self-authenticating and shall be in the
571 record for consideration by the hearing officer. Notwithstanding
572 s. 316.066(5) ~~s. 316.066(7)~~, the crash report shall be
573 considered by the hearing officer.

574 Section 8. Paragraph (a) of subsection (1) of section
575 324.051, Florida Statutes, is amended to read:

576 324.051 Reports of crashes; suspensions of licenses and
577 registrations.—

578 (1) (a) Every law enforcement officer who, in the regular
579 course of duty either at the time of and at the scene of the
580 crash or thereafter by interviewing participants or witnesses,

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581 investigates a motor vehicle crash which he or she is required
 582 to report pursuant to s. 316.066(1) ~~s. 316.066(3)~~ shall forward
 583 a written report of the crash to the department within 10 days
 584 of completing the investigation. However, when the investigation
 585 of a crash will take more than 10 days to complete, a
 586 preliminary copy of the crash report shall be forwarded to the
 587 department within 10 days of the occurrence of the crash, to be
 588 followed by a final report within 10 days after completion of
 589 the investigation. The report shall be on a form and contain
 590 information consistent with the requirements of s. 316.068.

591 Section 9. Paragraph (c) of subsection (3) of section
 592 921.0022, Florida Statutes, is amended to read:

593 921.0022 Criminal Punishment Code; offense severity ranking
 594 chart.-

595 (3) OFFENSE SEVERITY RANKING CHART

596 (c) LEVEL 3

Florida Statute	Felony Degree	Description
119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
316.066 (4)(6) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle

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with siren and lights activated.

601

319.30(4) 3rd Possession by junkyard of motor vehicle with identification number plate removed.

602

319.33(1)(a) 3rd Alter or forge any certificate of title to a motor vehicle or mobile home.

603

319.33(1)(c) 3rd Procure or pass title on stolen vehicle.

604

319.33(4) 3rd With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.

605

327.35(2)(b) 3rd Felony BUI.

606

328.05(2) 3rd Possess, sell, or counterfeit fictitious, stolen, or fraudulent titles or bills of sale of vessels.

607

328.07(4) 3rd Manufacture, exchange, or possess vessel with counterfeit or wrong ID number.

608

376.302(5) 3rd Fraud related to reimbursement for cleanup expenses under the Inland Protection Trust Fund.

609

379.2431(1)(e)5. 3rd Taking, disturbing, mutilating,

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destroying, causing to be destroyed, transferring, selling, offering to sell, molesting, or harassing marine turtles, marine turtle eggs, or marine turtle nests in violation of the Marine Turtle Protection Act.

610

379.2431(1)(e)6. 3rd Soliciting to commit or conspiring to commit a violation of the Marine Turtle Protection Act.

611

400.9935(4) 3rd Operating a clinic without a license or filing false license application or other required information.

612

440.1051(3) 3rd False report of workers' compensation fraud or retaliation for making such a report.

613

501.001(2)(b) 2nd Tampers with a consumer product or the container using materially false/misleading information.

614

624.401(4)(a) 3rd Transacting insurance without a certificate of authority.

615

624.401(4)(b)1. 3rd Transacting insurance without a certificate of authority; premium collected less than \$20,000.

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616

626.902 (1) (a) 3rd Representing an unauthorized insurer.
& (b)

617

697.08 3rd Equity skimming.

618

790.15 (3) 3rd Person directs another to discharge
firearm from a vehicle.

619

796.05 (1) 3rd Live on earnings of a prostitute.

620

806.10 (1) 3rd Maliciously injure, destroy, or
interfere with vehicles or equipment
used in firefighting.

621

806.10 (2) 3rd Interferes with or assaults firefighter
in performance of duty.

622

810.09 (2) (c) 3rd Trespass on property other than
structure or conveyance armed with
firearm or dangerous weapon.

623

812.014 (2) (c) 2. 3rd Grand theft; \$5,000 or more but less
than \$10,000.

624

812.0145 (2) (c) 3rd Theft from person 65 years of age or
older; \$300 or more but less than
\$10,000.

625

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626

815.04(4)(b) 2nd Computer offense devised to defraud or obtain property.

627

817.034(4)(a)3. 3rd Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.

628

817.233 3rd Burning to defraud insurer.

629

817.234(8)(b)-(c) 3rd Unlawful solicitation of persons involved in motor vehicle accidents.

630

817.234(11)(a) 3rd Insurance fraud; property value less than \$20,000.

631

817.236 3rd Filing a false motor vehicle insurance application.

632

817.2361 3rd Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.

633

817.413(2) 3rd Sale of used goods as new.

634

817.505(4) 3rd Patient brokering.

828.12(2) 3rd Tortures any animal with intent to inflict intense pain, serious physical injury, or death.

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635

831.28(2)(a) 3rd Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.

636

831.29 2nd Possession of instruments for counterfeiting drivers' licenses or identification cards.

637

838.021(3)(b) 3rd Threatens unlawful harm to public servant.

638

843.19 3rd Injure, disable, or kill police dog or horse.

639

860.15(3) 3rd Overcharging for repairs and parts.

640

870.01(2) 3rd Riot; inciting or encouraging.

641

893.13(1)(a)2. 3rd Sell, manufacture, or deliver cannabis (or other s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs).

642

893.13(1)(d)2. 2nd Sell, manufacture, or deliver s. 893.03(1)(c), (2)(c)1., (2)(c)2., (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7., (2)(c)8., (2)(c)9., (3), or (4) drugs

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within 1,000 feet of university.

643

893.13(1)(f)2. 2nd Sell, manufacture, or deliver s.
 893.03(1)(c), (2)(c)1., (2)(c)2.,
 (2)(c)3., (2)(c)5., (2)(c)6., (2)(c)7.,
 (2)(c)8., (2)(c)9., (3), or (4) drugs
 within 1,000 feet of public housing
 facility.

644

893.13(6)(a) 3rd Possession of any controlled substance
 other than felony possession of
 cannabis.

645

893.13(7)(a)8. 3rd Withhold information from practitioner
 regarding previous receipt of or
 prescription for a controlled substance.

646

893.13(7)(a)9. 3rd Obtain or attempt to obtain controlled
 substance by fraud, forgery,
 misrepresentation, etc.

647

893.13(7)(a)10. 3rd Affix false or forged label to package
 of controlled substance.

648

893.13(7)(a)11. 3rd Furnish false or fraudulent material
 information on any document or record
 required by chapter 893.

649

893.13(8)(a)1. 3rd Knowingly assist a patient, other

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person, or owner of an animal in obtaining a controlled substance through deceptive, untrue, or fraudulent representations in or related to the practitioner's practice.

650

893.13(8)(a)2. 3rd

Employ a trick or scheme in the practitioner's practice to assist a patient, other person, or owner of an animal in obtaining a controlled substance.

651

893.13(8)(a)3. 3rd

Knowingly write a prescription for a controlled substance for a fictitious person.

652

893.13(8)(a)4. 3rd

Write a prescription for a controlled substance for a patient, other person, or an animal if the sole purpose of writing the prescription is a monetary benefit for the practitioner.

653

918.13(1)(a) 3rd

Alter, destroy, or conceal investigation evidence.

654

944.47(1)(a)1.- 3rd
2.

Introduce contraband to correctional facility.

655

944.47(1)(c) 2nd

Possess contraband while upon the

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grounds of a correctional institution.

656

985.721

3rd

Escapes from a juvenile facility (secure
detention or residential commitment
facility).

657

658

Section 10. This act shall take effect July 1, 2010.