

1 A bill to be entitled
 2 An act relating to driving without a valid license;
 3 creating s. 322.345, F.S.; providing for immobilization or
 4 impoundment of a motor vehicle driven or owned by a person
 5 charged with driving without a driver's license or while
 6 the person's driver's license or privilege to drive is
 7 canceled, suspended, or revoked; providing for release of
 8 the vehicle; limiting application; providing an effective
 9 date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Section 322.345, Florida Statutes, is created
 14 to read:

15 322.345 Driving without a valid license; impoundment of
 16 vehicle.-

17 (1) Upon the arrest of a person for driving without a
 18 driver's license under s. 322.03 or driving while the person's
 19 driver's license or driving privilege has been canceled,
 20 suspended, or revoked under s. 322.34, the arresting officer
 21 shall immediately impound or immobilize the motor vehicle that
 22 was driven at the time of the offense.

23 (2) The motor vehicle owned by any person who is currently
 24 charged with driving without a driver's license under s. 322.03
 25 or driving while the person's driver's license or driving
 26 privilege has been canceled, suspended, or revoked under s.
 27 322.34 shall be impounded or immobilized if the person has been
 28 previously charged within the last 5 years with driving without

29 a driver's license under s. 322.03 or driving while the person's
 30 driver's license or driving privilege has been canceled,
 31 suspended, or revoked under s. 322.34.

32 (3) A motor vehicle immobilized or impounded under this
 33 section shall be released:

34 (a) To the registered owner, if the owner was not the
 35 person driving the vehicle at the time of arrest and
 36 immobilization or impoundment under subsection (1);

37 (b) After any period imposed by the court and upon payment
 38 of reasonable charges for towing and storing the vehicle, if the
 39 owner presents to the law enforcement agency proof of a valid
 40 driver's license, ownership of the vehicle, and required
 41 insurance; or

42 (c) Upon payment of reasonable charges for towing and
 43 storing the vehicle, if the owner presents to the law
 44 enforcement agency proof of sale of the vehicle and the buyer
 45 presents to the agency proof of a valid driver's license,
 46 ownership of the vehicle, and required insurance.

47 (4) It is the intent of the Legislature that the outcome
 48 of any charged offense have no effect on immobilization or
 49 impoundment of the motor vehicle and release of the vehicle
 50 therefrom.

51 (5) This section does not apply to minors.

52 Section 2. This act shall take effect July 1, 2011.