

26 | the first degree, punishable as provided in s. 775.082 or s.
27 | 775.083, and the court must order the person to serve a minimum
28 | mandatory period of 10 days in jail.

29 | (2)(a) A person who drives a commercial motor vehicle may
30 | not receive a driver license unless and until he or she
31 | surrenders to the department all driver licenses in his or her
32 | possession issued to him or her by any other jurisdiction or
33 | makes an affidavit that he or she does not possess a driver
34 | license. Any such person who fails to surrender such licenses
35 | commits a noncriminal infraction, punishable as a moving
36 | violation as set forth in chapter 318. Any such person who makes
37 | a false affidavit concerning such licenses commits a misdemeanor
38 | of the first degree, punishable as provided in s. 775.082 or s.
39 | 775.083.

40 | (b) All surrendered licenses may be returned by the
41 | department to the issuing jurisdiction together with information
42 | that the licensee is now licensed in a new jurisdiction or may
43 | be destroyed by the department, which shall notify the issuing
44 | jurisdiction of such destruction. A person may not have more
45 | than one valid driver license at any time.

46 | (3)~~(2)~~ Prior to issuing a driver license, the department
47 | shall require any person who has been convicted two or more
48 | times of a violation of s. 316.193 or of a substantially similar
49 | alcohol-related or drug-related offense outside this state
50 | within the preceding 5 years, or who has been convicted of three

51 or more such offenses within the preceding 10 years, to present
52 proof of successful completion of or enrollment in a department-
53 approved substance abuse education course. If the person fails
54 to complete such education course within 90 days after issuance,
55 the department shall cancel the license. Further, prior to
56 issuing the driver license the department shall require such
57 person to present proof of financial responsibility as provided
58 in s. 324.031. For the purposes of this paragraph, a previous
59 conviction for violation of former s. 316.028, former s.
60 316.1931, or former s. 860.01 shall be considered a previous
61 conviction for violation of s. 316.193.

62 (4)~~(3)~~(a) The department may not issue a commercial driver
63 license to any person who is not a resident of this state.

64 (b) A resident of this state who is required by the laws
65 of this state to possess a commercial driver license may not
66 operate a commercial motor vehicle in this state unless he or
67 she possesses a valid commercial driver license issued by this
68 state. Except as provided in paragraph (c), any person who
69 violates this paragraph commits ~~is guilty of~~ a misdemeanor of
70 the first degree, punishable as provided in s. 775.082 or s.
71 775.083.

72 (c) Any person whose commercial driver license has been
73 expired for a period of 30 days or less and who drives a
74 commercial motor vehicle within this state commits ~~is guilty of~~
75 a nonmoving violation, punishable as provided in s. 318.18.

76 (5)~~(4)~~ A person may not operate a motorcycle unless he or
 77 she holds a driver license that authorizes such operation,
 78 subject to the appropriate restrictions and endorsements. A
 79 person may operate an autocycle, as defined in s. 316.003,
 80 without a motorcycle endorsement.

81 (6)~~(5)~~ It is a violation of this section for any person
 82 whose driver license has been expired for more than 6 months to
 83 operate a motor vehicle on the highways of this state.

84 (7)~~(6)~~ A person who is charged with a violation of this
 85 section, other than a violation of paragraph (2)(a) ~~of~~
 86 ~~subsection (1)~~, may not be convicted if, prior to or at the time
 87 of his or her court or hearing appearance, the person produces
 88 in court or to the clerk of the court in which the charge is
 89 pending a driver license issued to him or her and valid at the
 90 time of his or her arrest. The clerk of the court is authorized
 91 to dismiss such case at any time prior to the defendant's
 92 appearance in court. The clerk of the court may assess a fee of
 93 \$5 for dismissing the case under this subsection.

94 Section 2. Subsection (3) of section 322.15, Florida
 95 Statutes, is amended to read:

96 322.15 License to be carried and exhibited on demand;
 97 fingerprint to be imprinted upon a citation.—

98 (3) In relation to violations of subsection (1) or s.
 99 322.03(6) ~~s. 322.03(5)~~, persons who cannot supply proof of a
 100 valid driver license for the reason that the license was

101 suspended for failure to comply with that citation shall be
 102 issued a suspension clearance by the clerk of the court for that
 103 citation upon payment of the applicable penalty and fee for that
 104 citation. If proof of a valid driver license is not provided to
 105 the clerk of the court within 30 days, the person's driver
 106 license shall again be suspended for failure to comply.

107 Section 3. Section 322.291, Florida Statutes, is amended
 108 to read:

109 322.291 Driver improvement schools or DUI programs;
 110 required in certain suspension and revocation cases.—Except as
 111 provided in s. 322.03(3) ~~s. 322.03(2)~~, any person:

112 (1) Whose driving privilege has been revoked:

113 (a) Upon conviction for:

114 1. Driving, or being in actual physical control of, any
 115 vehicle while under the influence of alcoholic beverages, any
 116 chemical substance set forth in s. 877.111, or any substance
 117 controlled under chapter 893, in violation of s. 316.193;

118 2. Driving with an unlawful blood- or breath-alcohol
 119 level;

120 3. Manslaughter resulting from the operation of a motor
 121 vehicle;

122 4. Failure to stop and render aid as required under the
 123 laws of this state in the event of a motor vehicle crash
 124 resulting in the death or personal injury of another;

125 5. Reckless driving; or

126 (b) As a habitual offender;

127 (c) Upon direction of the court, if the court feels that
128 the seriousness of the offense and the circumstances surrounding
129 the conviction warrant the revocation of the licensee's driving
130 privilege; or

131 (2) Whose license was suspended under the point system,
132 was suspended for driving with an unlawful blood-alcohol level
133 of 0.10 percent or higher before January 1, 1994, was suspended
134 for driving with an unlawful blood-alcohol level of 0.08 percent
135 or higher after December 31, 1993, was suspended for a violation
136 of s. 316.193(1), or was suspended for refusing to submit to a
137 lawful breath, blood, or urine test as provided in s. 322.2615

138
139 shall, before the driving privilege may be reinstated, present
140 to the department proof of enrollment in a department-approved
141 advanced driver improvement course operating pursuant to s.
142 318.1451 or a substance abuse education course conducted by a
143 DUI program licensed pursuant to s. 322.292, which shall include
144 a psychosocial evaluation and treatment, if referred.

145 Additionally, for a third or subsequent violation of
146 requirements for installation of an ignition interlock device, a
147 person must complete treatment as determined by a licensed
148 treatment agency following a referral by a DUI program and have
149 the duration of the ignition interlock device requirement
150 extended by at least 1 month up to the time period required to

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151 complete treatment. If the person fails to complete such course
152 or evaluation within 90 days after reinstatement, or
153 subsequently fails to complete treatment, if referred, the DUI
154 program shall notify the department of the failure. Upon receipt
155 of the notice, the department shall cancel the offender's
156 driving privilege, notwithstanding the expiration of the
157 suspension or revocation of the driving privilege. The
158 department may temporarily reinstate the driving privilege upon
159 verification from the DUI program that the offender has
160 completed the education course and evaluation requirement and
161 has reentered and is currently participating in treatment. If
162 the DUI program notifies the department of the second failure to
163 complete treatment, the department shall reinstate the driving
164 privilege only after notice of completion of treatment from the
165 DUI program.

166 Section 4. This act shall take effect July 1, 2024.