

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Ambler offered the following:

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3 **Amendment to Amendment (046245) (with title amendment)**

4 Between lines 4164 and 4165, insert:

5 Section 95. Effective March 1, 2009, section 322.093,  
6 Florida Statutes, is created to read:

7 322.093 Driver education for minors.--

8 (1) This section may be cited as the "Tyler's Bill for  
9 Driver Education."

10 (2) Notwithstanding any other provision of law, the  
11 department may not issue a driver's license to a person who has  
12 not attained 18 years of age unless the person has successfully  
13 completed a driver education course of instruction in the  
14 operation of motor vehicles given by a public secondary school  
15 in compliance with s. 1003.48 or a nonpublic school or  
16 commercial driving school meeting the standards prescribed under

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17 s. 1003.48. However, nothing in this section shall alter the  
18 distribution of funds pursuant to s. 318.1215. The school shall  
19 issue a certificate to each student who successfully completes  
20 the driver education course.

21 Section 96. Effective March 1, 2009, section 1003.48,  
22 Florida Statutes, is amended to read:

23 1003.48 Instruction in operation of motor vehicles.--

24 (1) A course of study and instruction in the safe and  
25 lawful operation of a motor vehicle shall be made available by  
26 each district school board to students in the secondary schools  
27 in the state. As used in this section, the term "motor vehicle"  
28 shall have the same meaning as in s. 320.01(1)(a) and shall  
29 include motorcycles and mopeds. The course must include  
30 classroom or virtual instruction and behind-the-wheel training,  
31 which may include use of a simulator, except that instruction in  
32 motorcycle or moped operation may be limited to classroom  
33 instruction. The course shall not be made a part of, or a  
34 substitute for, any of the minimum requirements for graduation.

35 (2) In order to make such a course available to any  
36 secondary school student, the district school board may use any  
37 one of the following procedures or any combination thereof:

38 (a) Utilize instructional personnel employed by the  
39 district school board.

40 (b) Contract with a commercial driving school licensed  
41 under the provisions of chapter 488.

42 (c) Contract with an instructor certified under the  
43 provisions of chapter 488.

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44 (3) (a) District school boards shall earn funds on full-  
45 time equivalent students at the appropriate basic program cost  
46 factor, regardless of the method by which such courses are  
47 offered.

48 (b) For the purpose of financing the driver education  
49 program in the secondary schools, there shall be levied an  
50 additional 50 cents per year to the driver's license fee  
51 required by s. 322.21. The additional fee shall be promptly  
52 remitted to the Department of Highway Safety and Motor Vehicles,  
53 which shall transmit the fee to the Chief Financial Officer to  
54 be deposited in the General Revenue Fund.

55 (4) The Commissioner of Education ~~district school board~~  
56 shall prescribe standards and curriculum requirements for the  
57 course required by this section and for instructional personnel  
58 directly employed by the district school board. Notwithstanding  
59 any other provision of law, any certified instructor or licensed  
60 commercial driving school offering the course pursuant to  
61 subsection (2) shall ~~be deemed sufficiently qualified and shall~~  
62 ~~not~~ be required to meet the standards and curriculum  
63 requirements prescribed for the course ~~any standards in lieu of~~  
64 ~~or~~ in addition to those prescribed under chapter 488.

65 (5) Any student under 18 years of age who has not  
66 satisfactorily completed the course required under this section  
67 shall have a restriction placed on his or her driver's permit.  
68 The student shall be restricted when operating a motor vehicle  
69 to having one passenger in the motor vehicle unless the student  
70 is accompanied by a driver who holds a valid license to operate  
71 a motor vehicle and who is at least 21 years of age.

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**T I T L E   A M E N D M E N T**

Remove line 4721 and insert:

criteria; creating s. 322.093, F.S.; providing a short title; providing that the Department of Highway Safety and Motor Vehicles may not issue a driver's license to a minor unless the minor has successfully completed a specified driver education course; specifying nonapplication to distribution of certain funds; providing for issuance of a certificate for successful course completion; amending s. 1003.48, F.S.; providing requirements for a school district course of instruction in the operation of motor vehicles; requiring the Commissioner of Education to prescribe standards and curriculum requirements; requiring certified instructors or commercial driving schools offering the course to meet the standards and requirements; providing for a restricted driver's permit under certain circumstances; providing effective dates.