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LEGISLATIVE ACTION

Senate

House

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Floor: 1/AD/2R

04/06/2010 10:22 AM

Senator Fasano moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 316.066, Florida Statutes, amended to
read:

316.066 Written reports of crashes.—

~~(1) The driver of a vehicle which is in any manner involved
in a crash resulting in bodily injury to or death of any person
or damage to any vehicle or other property in an apparent amount
of at least \$500 shall, within 10 days after the crash, forward
a written report of such crash to the department or traffic
records center. However, when the investigating officer has made~~



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14 ~~a written report of the crash pursuant to subsection (3), no~~
15 ~~written report need be forwarded to the department or traffic~~
16 ~~records center by the driver.~~

17 ~~(2) The receiving entity may require any driver of a~~
18 ~~vehicle involved in a crash of which a written report must be~~
19 ~~made as provided in this section to file supplemental written~~
20 ~~reports whenever the original report is insufficient in the~~
21 ~~opinion of the department and may require witnesses of crashes~~
22 ~~to render reports to the department.~~

23 ~~(1)(3)(a) Every law enforcement officer who in the regular~~
24 ~~course of duty investigates a motor vehicle crash shall complete~~
25 ~~and submit to the department a Florida Traffic Crash Report,~~
26 ~~Long Form, no later than 10 days after completing the~~
27 ~~investigation:~~

28 ~~1. Which crash resulted in death or personal injury shall,~~
29 ~~within 10 days after completing the investigation, forward a~~
30 ~~written report of the crash to the department or traffic records~~
31 ~~center.~~

32 ~~2. Which crash involved a violation of s. 316.061(1) or s.~~
33 ~~316.193 shall, within 10 days after completing the~~
34 ~~investigation, forward a written report of the crash to the~~
35 ~~department or traffic records center.~~

36 ~~3. In which crash a vehicle was rendered inoperative to a~~
37 ~~degree that ~~which~~ required a wrecker to remove it from traffic~~
38 ~~may, within 10 days after completing the investigation, forward~~
39 ~~a written report of the crash to the department or traffic~~
40 ~~records center if such action is appropriate, in the officer's~~
41 ~~discretion.~~

42 ~~(b) In every case in which a Florida Traffic Crash Report,~~



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43 Long Form, crash report is not required by this section and a
44 ~~written report to a law enforcement officer is not prepared,~~ the
45 law enforcement officer may complete a short-form crash report
46 or provide a short-form crash report to be completed by shall
47 ~~provide each party involved in the crash a short-form report,~~
48 ~~prescribed by the state, to be completed by the party.~~ The
49 short-form report must include:

- 50 1. The date, time, and location of the crash;
- 51 2. A description of the vehicles involved;
- 52 3. The names and addresses of the parties involved;
- 53 4. The names and addresses of witnesses;
- 54 5. The name, badge number, and law enforcement agency of
55 the officer investigating the crash; and
- 56 6. The names of the insurance companies for the respective
57 parties involved in the crash.

58 (c) Each party to the crash shall provide the law
59 enforcement officer with proof of insurance to be included in
60 the crash report. If a law enforcement officer submits a report
61 on the accident, proof of insurance must be provided to the
62 officer by each party involved in the crash. Any party who fails
63 to provide the required information is guilty of an infraction
64 for a nonmoving violation, punishable as provided in chapter 318
65 unless the officer determines that due to injuries or other
66 special circumstances such insurance information cannot be
67 provided immediately. If the person provides the law enforcement
68 agency, within 24 hours after the crash, proof of insurance that
69 was valid at the time of the crash, the law enforcement agency
70 may void the citation.

71 (d) The driver of a vehicle that is in any manner involved



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72 in a crash resulting in damage to any vehicle or other property
73 in an amount of at least \$500 and the crash was not investigated
74 by a law enforcement agency shall, within 10 days after the
75 crash, forward a written report of the crash to the local law
76 enforcement agency. The receiving law enforcement entity may
77 require witnesses of crashes to render reports and any driver of
78 a 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 deemed insufficient by
81 the receiving law enforcement agency.

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

85 (2)-(4)(a) One or more counties may enter into an agreement
86 with the appropriate state agency to be certified by the agency
87 to have a traffic records center for the purpose of tabulating
88 and analyzing countywide traffic crash reports. The agreement
89 must include: certification by the agency that the center has
90 adequate auditing and monitoring mechanisms in place to ensure
91 the quality and accuracy of the data; the time period in which
92 the traffic records center must report crash data to the agency;
93 and the medium in which the traffic records must be submitted to
94 the agency.

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



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101 (c) Fees for copies of public records provided by a
102 certified traffic records center shall be charged and collected
103 as follows:

- 104
- 105 For a crash report.....\$10 per copy.
 - 106 For a homicide report.....\$25 per copy.
 - 107 For a uniform traffic citation.....\$0.50 per copy.

108 The fees collected for copies of the public records provided by
109 a certified traffic records center shall be used to fund the
110 center or otherwise as designated by the county or counties
111 participating in the center.

112 ~~(3)~~(5) (a) Crash reports that reveal the identity, home or
113 employment telephone number or home or employment address of, or
114 other personal information concerning the parties involved in
115 the crash and that are held by any agency that regularly
116 receives or prepares information from or concerning the parties
117 to motor vehicle crashes are confidential and exempt from s.
118 119.07(1) and s. 24(a), Art. I of the State Constitution for a
119 period of 60 days after the date the report is filed.

120 (b) Crash reports held by an agency under paragraph (a) may
121 be made immediately available to the parties involved in the
122 crash, their legal representatives, their licensed insurance
123 agents, their insurers or insurers to which they have applied
124 for coverage, persons under contract with such insurers to
125 provide claims or underwriting information, prosecutorial
126 authorities, victim services programs, radio and television
127 stations licensed by the Federal Communications Commission,
128 newspapers qualified to publish legal notices under ss. 50.011
129 and 50.031, and free newspapers of general circulation,



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130 published once a week or more often, available and of interest
131 to the public generally for the dissemination of news. For the
132 purposes of this section, the following products or publications
133 are not newspapers as referred to in this section: those
134 intended primarily for members of a particular profession or
135 occupational group; those with the primary purpose of
136 distributing advertising; and those with the primary purpose of
137 publishing names and other personal identifying information
138 concerning parties to motor vehicle crashes.

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

143 (d) As a condition precedent to accessing a crash report
144 within 60 days after the date the report is filed, a person must
145 present a valid driver's license or other photographic
146 identification, proof of status, or identification that
147 demonstrates his or her qualifications to access that
148 information, and file a written sworn statement with the state
149 or local agency in possession of the information stating that
150 information from a crash report made confidential and exempt by
151 this section will not be used for any commercial solicitation of
152 accident victims, or knowingly disclosed to any third party for
153 the purpose of such solicitation, during the period of time that
154 the information remains confidential and exempt. In lieu of
155 requiring the written sworn statement, an agency may provide
156 crash reports by electronic means to third-party vendors under
157 contract with one or more insurers, but only when such contract
158 states that information from a crash report made confidential



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159 and exempt by this section will not be used for any commercial
160 solicitation of accident victims by the vendors, or knowingly
161 disclosed by the vendors to any third party for the purpose of
162 such solicitation, during the period of time that the
163 information remains confidential and exempt, and only when a
164 copy of such contract is furnished to the agency as proof of the
165 vendor's claimed status.

166 (e) This subsection does not prevent the dissemination or
167 publication of news to the general public by any legitimate
168 media entitled to access confidential and exempt information
169 pursuant to this section.

170 ~~(4)-(6)~~ (a) Any driver failing to file the written report
171 required under paragraph (1) (d) ~~subsection (1) or subsection (2)~~
172 commits a noncriminal traffic infraction, punishable as a
173 nonmoving violation as provided in chapter 318.

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

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

185 (d) Any person who knowingly uses confidential and exempt
186 information in violation of a filed written sworn statement or
187 contractual agreement required by this section commits a felony



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188 of the third degree, punishable as provided in s. 775.082, s.
189 775.083, or s. 775.084.

190 (5)~~(7)~~ Except as specified in this subsection, each crash
191 report made by a person involved in a crash and any statement
192 made by such person to a law enforcement officer for the purpose
193 of completing a crash report required by this section shall be
194 without prejudice to the individual so reporting. ~~No~~ Such a
195 report or statement may not ~~shall~~ be used as evidence in any
196 trial, civil or criminal. However, subject to the applicable
197 rules of evidence, a law enforcement officer at a criminal trial
198 may testify as to any statement made to the officer by the
199 person involved in the crash if that person's privilege against
200 self-incrimination is not violated. The results of breath,
201 urine, and blood tests administered as provided in s. 316.1932
202 or s. 316.1933 are not confidential and are ~~shall be~~ admissible
203 into evidence in accordance with ~~the provisions of~~ s.
204 316.1934(2). Crash reports made by persons involved in crashes
205 shall not be used for commercial solicitation purposes; however,
206 the use of a crash report for purposes of publication in a
207 newspaper or other news periodical or a radio or television
208 broadcast shall not be construed as "commercial purpose."

209 (6)~~(8)~~ A law enforcement officer, as defined in s.
210 943.10(1), may enforce this section.

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

213 320.05 Records of the department; inspection procedure;
214 lists and searches; fees.—

215 (3) (a) The department may ~~is authorized~~, upon application
216 of any person and payment of the proper fees, ~~to~~ prepare and



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217 furnish lists containing motor vehicle or vessel information in
218 such form as the department may authorize, ~~to~~ search the records
219 of the department and make reports thereof, and ~~to~~ make
220 photographic copies of the department records and attestations
221 thereof.

222 (b) Fees ~~therefor~~ shall be charged and collected as
223 follows:

224 1. For providing lists of motor vehicle or vessel records
225 for the entire state, or any part or parts thereof, divided
226 according to counties, a sum computed at a rate of not less than
227 1 cent nor more than 5 cents per item.

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

230 3. For providing noncertified photographic copies of
231 micrographic records, \$1 per page.

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

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

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

238 7. For providing electronic access to motor vehicle,
239 vessel, and mobile home registration data requested by tag,
240 vehicle identification number, title number, or decal number, 50
241 cents per item.

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

245 9. For providing lists of licensed mobile home dealers and



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246 manufacturers and recreational vehicle dealers and
247 manufacturers, \$15 per list.

248 10. For providing lists of licensed motor vehicle dealers,
249 \$25 per list.

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

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

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

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

257 (e) When motor vehicle, vessel, or mobile home registration
258 data is provided by electronic access through a tax collector's
259 office, the applicable fee as provided in paragraph (b) must be
260 collected and deposited pursuant to paragraph (c) a fee for the
261 electronic access is not required to be assessed. However, at
262 the tax collector's discretion, a fee equal to or less than the
263 fee charged by the department for such information may be
264 assessed by the tax collector for the electronic access.
265 Notwithstanding paragraph (c), any funds collected by the tax
266 collector as a result of providing such access shall be retained
267 by the tax collector.

268 Section 3. Section 321.25, Florida Statutes, is amended to
269 read:

270 321.25 Training provided at patrol schools.—The Department
271 of Highway Safety and Motor Vehicles may ~~is authorized to~~
272 provide for the training of law enforcement officials and
273 individuals in matters relating to the duties, functions, and
274 powers of the Florida Highway Patrol in the schools established



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275 by the department for the training of highway patrol candidates
276 and officers. The Department of Highway Safety and Motor
277 Vehicles may ~~is authorized to~~ charge a fee for providing the
278 training authorized by this section. The fee shall be charged to
279 persons attending the training. The fee shall be based on the
280 Department of Highway Safety and Motor Vehicles' recruiting
281 costs and a portion of the costs for providing the training.
282 The ~~and such~~ costs may include, but are not limited to, tuition,
283 lodging, and meals. Revenues from the fees shall be used to
284 offset the Department of Highway Safety and Motor Vehicles'
285 costs for providing the training. The cost of training local
286 enforcement officers shall be paid for by their respective
287 offices, counties or municipalities, as the case may be. Such
288 cost shall be deemed a proper county or municipal expense or a
289 proper expenditure of the office of sheriff.

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

292 322.02 Legislative intent; administration.-

293 (1) The Legislature finds that over the past several years
294 the department and individual county tax collectors have entered
295 into contracts for the delivery of full and limited driver
296 license services where such contractual relationships best
297 served the public interest through state administration and
298 enforcement and local government implementation. It is the
299 intent of the Legislature to complete the transition of all
300 driver license issuance services to those tax collectors who are
301 constitutional officers in this state no later than June 30,
302 2015. The transition of services to charter-appointed county tax
303 collectors may occur on a limited basis as directed by the



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304 ~~department that future interests and processes for developing~~
305 ~~and expanding the department's relationship with tax collectors~~
306 ~~through contractual relationships for the delivery of driver~~
307 ~~license services be achieved through the provisions of this~~
308 ~~chapter, thereby serving best the public interest considering~~
309 ~~accountability, cost-effectiveness, efficiency, responsiveness,~~
310 ~~and high quality service to the drivers in Florida.~~

311 Section 5. Section 322.135, Florida Statutes, is amended to
312 read:

313 322.135 Driver's license agents.-

314 (1) The department shall ~~may~~, upon application, authorize
315 any or all of the tax collectors in the several counties of the
316 state, subject to the requirements of law, in accordance with
317 rules of the department, to serve as its agent for the provision
318 of specified driver's license services.

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

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

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

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

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

332 3. For a voter registration transaction.



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

334 ~~4.5.~~ In violation of any federal or state law.

335 (2) Each tax collector is required to give a good and
336 sufficient surety bond, payable to the department, conditioned
337 upon his or her faithfully and truly performing the duties
338 imposed upon him or her according to the requirements of law and
339 the rules of the department and upon his or her accounting for
340 all materials, records, and other property and money that come
341 into his or her possession or control by reason of performing
342 these duties.

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

346 (b) If a tax collector is also an agent of the department
347 for purposes of s. 320.03, the amount of the bond must be at
348 least 10 percent above the average of the total daily deposits
349 of all funds received by the tax collector on behalf of the
350 department.

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

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

360 (4) A tax collector may not issue or renew a driver's
361 license if he or she has any reason to believe that the licensee



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362 or prospective licensee is physically or mentally unqualified to
363 operate a motor vehicle. The tax collector may direct any such
364 licensee to the department for examination or reexamination
365 under s. 322.221.

366 (5) The department, in conjunction with the Tax Collectors'
367 Association, shall develop a plan to provide for the transition
368 of all driver's license issuance services to the county tax
369 collectors who are constitutional officers. The transition plan
370 shall be submitted to the President of the Senate and the
371 Speaker of the House of Representatives by February 1, 2011. The
372 transition plan must include a timeline to complete the full
373 transition of all driver's license issuance services no later
374 than June 30, 2015, and may include, but need not be limited to,
375 recommendations on the use of regional service centers,
376 interlocal agreements, and equipment. The county tax collector
377 at his or her option may apply to the department for approval by
378 the executive director to be the exclusive agent of the
379 department for his or her county to administer driver license
380 services as provided and authorized in this chapter.

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

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

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

389 ~~2. The designation by the tax collector of the driver~~
390 ~~license functions to be performed by the tax collector in the~~



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391 county.

392 ~~3. Any anticipated capital acquisition or construction~~
393 ~~costs.~~

394 ~~4. A projection of equipment available or to be provided by~~
395 ~~the department.~~

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

398 ~~(c) The department shall review applications on or before~~
399 ~~September 1 of each year. The department shall compare the costs~~
400 ~~included in the information submitted in the application with~~
401 ~~the related costs incurred by the department to accomplish the~~
402 ~~same level of services. The department shall approve or deny an~~
403 ~~application within 60 calendar days after the application is~~
404 ~~received unless the department and the applicant agree mutually~~
405 ~~to a specific alternative date.~~

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

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

412 ~~(7) Upon approval by the department for a tax collector to~~
413 ~~provide exclusive driver license services in a county, the~~
414 ~~department and the applicable tax collector shall develop a~~
415 ~~transition plan for the orderly transfer of service~~
416 ~~responsibilities to the tax collector. This plan shall include,~~
417 ~~but is not limited to:~~

418 ~~(a) The specifics of any possible use of any state owned or~~
419 ~~leased facilities giving consideration to lease expiration date,~~



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420 ~~cancellation provisions, and possibilities for sublease of such~~
421 ~~facilities.~~

422 ~~(b) Consideration of staffing needs of the tax collector,~~
423 ~~either the assumption by the collector or departmental~~
424 ~~relocation of employees adversely affected.~~

425 ~~(c) The execution of a standard agreement between the~~
426 ~~department and the tax collector for providing driver license~~
427 ~~services.~~

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

431 ~~(6)~~ (9) Notwithstanding chapter 116, each county officer
432 within this state who is authorized to collect funds provided
433 for in this chapter shall pay all sums officially received by
434 the officer into the State Treasury no later than 5 working days
435 after the close of the business day in which the officer
436 received the funds. Payment by county officers to the state
437 shall be made by means of electronic funds transfers.

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

440 322.20 Records of the department; fees; destruction of
441 records.—

442 (10) The Division of Driver Licenses may ~~is~~ authorized,
443 upon application of any person and payment of the proper fees,
444 ~~to~~ search and ~~to~~ assist such person in the search of the records
445 of the department and make reports thereof and ~~to~~ make
446 photographic copies of the departmental records and attestations
447 thereof.

448 (11) (a) The department may charge the following fees for



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449 the following services and documents:

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

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

458 3. For providing a certified copy of a transcript of the
459 driver history record or any portion thereof for any one
460 individual.....\$10

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

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

464 6. For providing photocopies of documents, papers, letters,
465 clearances, or license or insurance status reports, per
466 page.....\$0.50

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

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

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

475 (b) The department shall furnish such information without
476 charge to any local, state, or federal law enforcement agency or
477 court upon proof satisfactory to the department as to the



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478 purpose of the investigation.

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

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

490 322.2615 Suspension of license; right to review.—

491 (2) Except as provided in paragraph (1)(a), the law
492 enforcement officer shall forward to the department, within 5
493 days after issuing the notice of suspension, the driver's
494 license; an affidavit stating the officer's grounds for belief
495 that the person was driving or in actual physical control of a
496 motor vehicle while under the influence of alcoholic beverages
497 or chemical or controlled substances; the results of any breath
498 or blood test or an affidavit stating that a breath, blood, or
499 urine test was requested by a law enforcement officer or
500 correctional officer and that the person refused to submit; the
501 officer's description of the person's field sobriety test, if
502 any; the notice of suspension; and a copy of the crash report,
503 if any. The failure of the officer to submit materials within
504 the 5-day period specified in this subsection and in subsection
505 (1) does not affect the department's ability to consider any
506 evidence submitted at or prior to the hearing. The officer may



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507 also submit a copy of a videotape of the field sobriety test or
508 the attempt to administer such test. Materials submitted to the
509 department by a law enforcement agency or correctional agency
510 shall be considered self-authenticating and shall be in the
511 record for consideration by the hearing officer. Notwithstanding
512 s. 316.066(5) ~~s. 316.066(7)~~, the crash report shall be
513 considered by the hearing officer.

514 Section 8. Paragraph (a) of subsection (1) of section
515 324.051, Florida Statutes, is amended to read:

516 324.051 Reports of crashes; suspensions of licenses and
517 registrations.—

518 (1) (a) Every law enforcement officer who, in the regular
519 course of duty either at the time of and at the scene of the
520 crash or thereafter by interviewing participants or witnesses,
521 investigates a motor vehicle crash which he or she is required
522 to report pursuant to s. 316.066(1) ~~s. 316.066(3)~~ shall forward
523 a written report of the crash to the department within 10 days
524 of completing the investigation. However, when the investigation
525 of a crash will take more than 10 days to complete, a
526 preliminary copy of the crash report shall be forwarded to the
527 department within 10 days of the occurrence of the crash, to be
528 followed by a final report within 10 days after completion of
529 the investigation. The report shall be on a form and contain
530 information consistent with the requirements of s. 316.068.

531 Section 9. Paragraph (c) of subsection (3) of section
532 921.0022, Florida Statutes, is amended to read:

533 921.0022 Criminal Punishment Code; offense severity ranking
534 chart.—

535 (3) OFFENSE SEVERITY RANKING CHART



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536	(c) LEVEL 3		
	Florida	Felony	
	Statute	Degree	Description
537	119.10(2)(b)	3rd	Unlawful use of confidential information from police reports.
538	316.066 (4)(6) (b) - (d)	3rd	Unlawfully obtaining or using confidential crash reports.
539	316.193(2)(b)	3rd	Felony DUI, 3rd conviction.
540	316.1935(2)	3rd	Fleeing or attempting to elude law enforcement officer in patrol vehicle with siren and lights activated.
541	319.30(4)	3rd	Possession by junkyard of motor vehicle with identification number plate removed.
542	319.33(1)(a)	3rd	Alter or forge any certificate of title to a motor vehicle or mobile home.
543	319.33(1)(c)	3rd	Procure or pass title on stolen vehicle.
544	319.33(4)	3rd	With intent to defraud, possess, sell, etc., a blank, forged, or unlawfully obtained title or registration.
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327.35 (2) (b) 3rd Felony BUI.

547

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

548

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

549

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

550

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

551

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

552

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



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553	440.1051(3)	3rd	False report of workers' compensation fraud or retaliation for making such a report.
554	501.001(2)(b)	2nd	Tampers with a consumer product or the container using materially false/misleading information.
555	624.401(4)(a)	3rd	Transacting insurance without a certificate of authority.
556	624.401(4)(b)1.	3rd	Transacting insurance without a certificate of authority; premium collected less than \$20,000.
557	626.902(1)(a) & (b)	3rd	Representing an unauthorized insurer.
558	697.08	3rd	Equity skimming.
559	790.15(3)	3rd	Person directs another to discharge firearm from a vehicle.
560	796.05(1)	3rd	Live on earnings of a prostitute.
561	806.10(1)	3rd	Maliciously injure, destroy, or interfere with vehicles or equipment used in firefighting.



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562	806.10 (2)	3rd	Interferes with or assaults firefighter in performance of duty.
563	810.09 (2) (c)	3rd	Trespass on property other than structure or conveyance armed with firearm or dangerous weapon.
564	812.014 (2) (c) 2.	3rd	Grand theft; \$5,000 or more but less than \$10,000.
565	812.0145 (2) (c)	3rd	Theft from person 65 years of age or older; \$300 or more but less than \$10,000.
566	815.04 (4) (b)	2nd	Computer offense devised to defraud or obtain property.
567	817.034 (4) (a) 3.	3rd	Engages in scheme to defraud (Florida Communications Fraud Act), property valued at less than \$20,000.
568	817.233	3rd	Burning to defraud insurer.
569	817.234 (8) (b) - (c)	3rd	Unlawful solicitation of persons involved in motor vehicle accidents.
570	817.234 (11) (a)	3rd	Insurance fraud; property value less than \$20,000.



571	817.236	3rd	Filing a false motor vehicle insurance application.
572	817.2361	3rd	Creating, marketing, or presenting a false or fraudulent motor vehicle insurance card.
573	817.413(2)	3rd	Sale of used goods as new.
574	817.505(4)	3rd	Patient brokering.
575	828.12(2)	3rd	Tortures any animal with intent to inflict intense pain, serious physical injury, or death.
576	831.28(2)(a)	3rd	Counterfeiting a payment instrument with intent to defraud or possessing a counterfeit payment instrument.
577	831.29	2nd	Possession of instruments for counterfeiting drivers' licenses or identification cards.
578	838.021(3)(b)	3rd	Threatens unlawful harm to public servant.
579	843.19	3rd	Injure, disable, or kill police dog or horse.



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580 860.15(3) 3rd Overcharging for repairs and parts.

581 870.01(2) 3rd Riot; inciting or encouraging.

582 893.13(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).

583 893.13(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
within 1,000 feet of university.

584 893.13(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.

585 893.13(6)(a) 3rd Possession of any controlled substance
other than felony possession of
cannabis.

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



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prescription for a controlled substance.

586

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

587

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

588

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

589

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

590

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.

591

893.13(8)(a)3. 3rd Knowingly write a prescription for a controlled substance for a fictitious person.



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- 592 893.13(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.
- 593 918.13(1)(a) 3rd Alter, destroy, or conceal investigation
evidence.
- 594 944.47(1)(a)1.- 3rd Introduce contraband to correctional
2. facility.
- 595 944.47(1)(c) 2nd Possess contraband while upon the
grounds of a correctional institution.
- 596 985.721 3rd Escapes from a juvenile facility (secure
detention or residential commitment
facility).

597
598 Section 10. This act shall take effect July 1, 2010.

599
600 ===== T I T L E A M E N D M E N T =====

601 And the title is amended as follows:

602 Delete everything before the enacting clause
603 and insert:

604 A bill to be entitled
605 An act relating to highway safety; amending s.
606 316.066, F.S.; removing provisions requiring the



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607 driver of a vehicle that is involved in a crash
608 resulting in bodily injury to or the death of any
609 person or damage to any vehicle or other property to
610 forward a written report of the crash to the
611 Department of Highway Safety and Motor Vehicles within
612 a specified time; requiring every law enforcement
613 officer who investigates a motor vehicle crash to
614 complete and submit to the department a Florida
615 Traffic Crash Report, Long Form, within a specified
616 time under certain circumstances; providing that in
617 cases in which a Florida Traffic Crash Report, Long
618 Form, is not required, the law enforcement officer may
619 complete a short-form crash report or provide a short-
620 form crash report to be completed by each party
621 involved in the crash; requiring the driver of a
622 vehicle that is involved in a crash that results in
623 damage to any vehicle or other property in an amount
624 of at least \$500 and that is not investigated by a law
625 enforcement agency to forward a written report of the
626 crash to the local law enforcement agency within a
627 specified time; requiring the local law enforcement
628 agency to maintain the short-form crash reports
629 prepared by law enforcement officers or parties
630 involved in the crash; amending s. 320.05, F.S. ;
631 requiring that certain fees be imposed for electronic
632 access to registration data provided through the tax
633 collector's office; requiring that the fees be
634 deposited into the Highway Safety Operating Trust Fund
635 in the Department of Highway Safety and Motor



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636 Vehicles; amending s. 321.25, F.S.; authorizing the
637 Department of Highway Safety and Motor Vehicles to
638 charge a fee to persons attending certain training
639 events; amending s. 322.02, F.S.; revising legislative
640 intent relating to the transition of all driver's
641 license services from the department to the county tax
642 collectors by a specified date; amending s. 322.135,
643 F.S.; requiring the department to authorize any or all
644 tax collectors in the state to serve as agents for the
645 department by providing certain specified driver's
646 license services; requiring the department, in
647 conjunction with the Tax Collectors' Association, to
648 develop a plan to provide for the transition of all
649 driver's license issuance services to the county tax
650 collectors who are constitutional officers; requiring
651 that the plan be submitted to the President of the
652 Senate and the Speaker of the House of Representatives
653 by a specified date; removing obsolete provisions
654 relating to the issuance of driver's licenses by the
655 county tax collector; amending s. 322.20, F.S.;
656 authorizing the Department of Highway Safety and Motor
657 Vehicles to charge a fee for searching for an
658 individual's driver history record that is not on file
659 or that meets requested criteria; authorizing the
660 county clerks of court and certain tax collectors to
661 provide driver records to any person requesting such
662 records and to assess a fee for such service; amending
663 ss. 322.2615, 324.051, and 921.0022, F.S.; conforming
664 cross-references; providing an effective date.