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**TO:** Clerks of County Court  
Law Enforcement Agencies  
State Attorneys

**FROM:** Dana Reiding, Chief  
Bureau of Records

**DATE:** November 5, 2010

**SUBJECT:** Appendix C, Revised 10/29/2010  
Failure to Obey a Traffic Control Device, s. 316.074(1) – BDI School is not Required  
Racing on Highway, s. 316.191(3)(a) was changed to s. 316.191(4)(a)  
Crash – Failure to provide proof of Insurance, s. 316.066(1)( c) was created  
Operating a Vehicle not Properly Insured, s. 316.646 has a Mandatory Suspension

Upon further review of the Legislative intent for drivers convicted of Failure to Obey a Traffic Control Device (sign), s. 316.074(1), Florida Statutes, we have determined that drivers should not be required to complete a Department approved 4- hour basic driver improvement (BDI) course for this type offense. This statute addresses obedience to traffic control devices and is used by law enforcement for a variety of offenses, including the traffic signal violations. Further, amendments to 316.650, that added the requirement for a check box on traffic citations for violations of s. 316.074(1) or s. 316.075(1)(c)1 “as a result of the driver failing to stop at a traffic signal” indicate intent.

The driving school requirement should be limited, as to s. 316.074(1), Florida Statutes, to the traffic signal violations. Please change violation code 544 for Failure to Obey a Traffic Control Device s. 316.074(1), Florida Statutes, to violation code 532. This change will ensure that drivers are not required to complete school when the convictions are received by our agency.

Other changes to Appendix C include statutory reference changes that were inadvertently overlooked when we last published Appendix C in August, 2010:

- Racing on Highway-Spectator, s. 316.191(3)(a) was changed to s. 316.191(4)(a);
- Crash – Failure to provide proof of Insurance, s. 316.066(3) was omitted and s. 316.066(1)( c) was created; and
- Operating a Vehicle not Properly Insured, s. 316.646 now has a Mandatory Suspension indicated.

We apologize for any inconvenience these changes may cause your staff and we thank you for your cooperation in changing violation code 544 to 532 as indicated above. The new Appendix C is posted on our web site under the Uniform Traffic Citation Manual section at [www.flhsmv.gov/courts](http://www.flhsmv.gov/courts). Please direct any questions to Bonnie Scott-Walls at 850-617-2586 or send an email to [BonnieScott-Walls@flhsmv.gov](mailto:BonnieScott-Walls@flhsmv.gov).

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