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September 24, 2008

TO: Law Enforcement Agencies

FROM: Dana Reiding, Chief
Bureau of Records

SUBJECT: New procedures for Commercial Driver License (CDL) holders arrested for DUI,
Effective October 1, 2008

Effective October 1, 2008, CDL holders who receive a DUI conviction, even while driving a personal vehicle, will be disqualified from operating a commercial motor vehicle for 1 year from the first offense, and permanently disqualified for the second offense. These penalties are based on conviction dates and not offense dates. In addition, the driving privilege of a commercial driver license holder who is cited for unlawful breath or blood alcohol level above 0.08 under section 316.193, Florida Statutes, will be administratively disqualified at roadside, regardless of the type of vehicle operated at the time of the stop.

As noted in the memo dated August 29, 2008, the *electronic* Florida DUI Uniform Traffic Citation (UTC) must be revised to include CDL disqualification information due to 2008 Legislative changes. Please have your electronic DUI citation vendor contact our office for details. The *paper* Florida DUI citation, Rev. 2/05 or 7/06, may still be utilized until new DUI citations are printed. **Please note, officers issuing paper Florida DUI citations to CDL holders must also issue the attached CDL disqualification form.**

We hope this information is useful to you. Please visit our web site at www.flhsmv.gov/courts for more information. Please direct any questions to Bonnie Scott-Walls at (850) 617-2586 or BonnieScott-Walls@flhsmv.gov.