

July 11, 2013

TO: Law Enforcement Agencies (LEA's)
State Attorneys
E-Citation Vendors

FROM: Maureen Johnson, Bureau Chief
Division of Motorist Services

Maureen Johnson

SUBJECT: **DUI Citation Procedures Changes, House Bill 7125**

The 2013 Florida Legislature passed House Bill 7125, which modifies language in Florida Statutes regarding DUI UTC procedures, hearings and penalties. You may access the text of this legislation at: <http://www.myfloridahouse.gov/Sections/Bills/billsdetail.aspx?BillId=50857>

The bill modifies s. 322.271, F.S. effective July 1, 2013. These changes provide procedures for individuals charged for the first time with a DUI to request a waiver review and may obtain a restricted driver license within 10 days of the suspension if otherwise eligible.

To request the waiver review, a non-refundable filing fee of \$25.00 and proof of DUI school enrollment must be submitted with an application for a waiver review hearing within 10 days of the driver license suspension. Applicants may submit their request by appearing at the local Bureau of Administrative Review (BAR) office indicated on the DUI citation.

We are in the process of modifying the paper DUI UTC to reflect these statute changes. Agencies may continue to utilize the existing paper DUI citations until your current stock is depleted. When utilizing paper DUI citations printed prior to July 2013, an insert explaining the statute change must be provided with the DUI citation given to the violator. Paper inserts may be obtained at the local BAR office or an electronic version of this insert may be obtained at; <http://www.flhsmv.gov/courts/latestinfo/WaiverReviewFirstDUI.pdf>. DUI E-citations must be updated and approved by DHSMV to reflect the changes as listed on the DUI UTC proof located on the Department's web site; http://www.flhsmv.gov/ddl/utc/APPENDIX_E_PART2.pdf. Please advise your E-Citation Vendor to have the changes made and submitted to our office for approval as soon as possible.

If you have any questions you may contact Bonnie Scott-Walls at 850-617-2586 or Victor Cullars at 850-617-2627. Thank you for your assistance in this matter.

MJ/vtc