

2900 Apalachee Parkway
Tallahassee, Florida 32399-0500
www.flhsmv.gov

April 27, 2009

TO: Clerks of Court
Criminal Division
Traffic Violations Bureau
Judges
State Attorneys
Law Enforcement Agencies

FROM: Sandra C. Lambert, Director
Division of Driver Licenses



SUBJECT: Charges for Section 322.34(2), Florida Statutes
Driving While License Suspended, Revoked, Cancelled, or Disqualified

Non-commercial drivers charged with a criminal offense of driving while license suspended, revoked, cancelled, or disqualified (DWLS) under section 322.34(2), Florida Statutes, may enter a plea of nolo contendere and show proof of compliance to the clerk of court as allowed by section 318.14(10)(a)1, F.S. If the proof of compliance is acceptable, the clerk of court may withhold adjudication.

Section 318.14(10)(a)1, F.S., allows a non-commercial driver charged under section 322.34, F.S., to show proof of compliance to the clerk if the license has been suspended for failure to appear, failure to pay civil penalty, or failure to attend a driver improvement course pursuant to section 322.291.

An opinion from the Department's General Counsel is attached for your reference. The previous bulletins on this subject dated July 5, 2001 and September 7, 2001 are withdrawn.

If you have any questions, please contact Bonnie Scott-Walls at (850) 617-2702 or at bonniescott-walls@flhsmv.gov. Please also visit our web site at www.flhsmv.gov/courts.