

DATE: July 27, 2021

TO: Florida Clerks of Court  
Florida Court Clerks and Comptrollers (FCCC)

FROM: Richie C. Frederick, Chief **RF**  
Division of Motorist Services, Bureau of Records

SUBJECT: Boating Under the Influence (BUI) Refusals – Senate Bill 1086

Senate Bill 1086 revised section 327.35215(3), Florida Statutes, to require clerks of court to notify the department of the final dispositions of all actions filed under the section:

327.35215 Penalty for failure to submit to test.—

(3) A person who has been advised of the penalties pursuant to subsection (2) may, within 30 days afterwards, request a hearing before a county court judge. A request for a hearing tolls the period for payment of the civil penalty, and, if assessment of the civil penalty is sustained by the hearing and any subsequent judicial review, the civil penalty must be paid within 30 days after final disposition. The clerk of the court shall notify the Department of Highway Safety and Motor Vehicles of the final disposition of all actions filed under this section by electronic transmission in a format prescribed by the department. When the department receives the final disposition, the department shall enter the disposition on the person's driving record.

The department is partnering with the Florida Court Clerks and Comptrollers (FCCC) to develop an electronic submission method to consume this data by October 1, 2021, with further information to be provided as this effort progresses. Until this electronic method can be deployed, the department requests clerks begin submitting these records to the department manually via Court Assist for inclusion on the driver record.

Effective immediately, please provide all final disposition data related to penalties under section 327.35215, Florida Statutes, via email to Court Assist at [courtassist@flhsmv.gov](mailto:courtassist@flhsmv.gov) using the subject BUI Refusal Disposition and include the following information:

- Defendant's Name
- Defendant's Date of Birth
- Defendant's Sex
- Defendant's Driver's License Number
- Uniform Boating Citation Number
- Date of Offense
- Date of Disposition

If you have questions about this new process, or the interim manual submission procedures, please contact Jessica Andrews at 850-617-2591 or [JessicaAndrews@flhsmv.gov](mailto:JessicaAndrews@flhsmv.gov).