

TO: Clerks of County Court

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

DATE: June 21, 2010

SUBJECT: **Reporting of Toll Violation Dispositions**  
**HB 1271, Effective 7/1/2010**

House Bill 1271 revises Section 316.1001, Florida Statutes, specifying that receipt of the citation constitutes notification. It also modifies Section 318.18, Florida Statutes to establish a reduced fine if the citation is paid timely to the clerk of court and specifies that the court may suspend individuals who have been convicted of 10 or more toll violations.

Effective July 1, 2010, if a violator:

- Pays \$30 plus the unpaid toll to the Clerk of Court, adjudication will be withheld and no points will be assessed on the driver record. Please submit a disposition code of C.
- Requests a court hearing and the judge withholds adjudication, the driver record will reflect adjudication withheld and no points will be assessed. Please submit a disposition code of A. The violator must pay a \$100 mandatory fine plus the amount of the unpaid toll, pursuant to Section 318.18(7), Florida Statutes.
- Requests a court hearing and is adjudicated guilty, the driver record will reflect a conviction and 3 points will be assessed. Please submit a disposition code of 1. The violator must pay a \$100 mandatory fine plus the amount of the unpaid toll, pursuant to Section 318.18(7), Florida Statutes.

If the driver fails to pay the civil penalty timely to the Clerk of Court, the Clerk of Court may submit a request for driver license suspension (D6) to the Department. This will also prevent the customer from completing a registration renewal for any motor vehicle he or she owns or co-owns. At this point, the violator must pay a \$100 mandatory fine, the amount of the unpaid toll, plus the late civil penalty fee and no points will be assessed on the driver record. **Please submit a disposition code of C as no points may be assessed unless found guilty by the court.**

Persons cited for violation of Section 316.1001, Florida Statutes, may not elect to attend driver school in lieu of points, nor may they elect to provide proof of compliance under Section 318.14(10)(a), Florida Statutes.

If the court orders a 60-day driver license suspension for a 10<sup>th</sup> toll violation within 36 months, please submit exception code 1 with the court-ordered time period when transmitting the disposition of the 10<sup>th</sup> toll violation through TCATS.

Please visit our web site at [www.flhsmv.gov/courts](http://www.flhsmv.gov/courts) for other reference materials, including a legal opinion on school election for toll violations. If you have any questions, please email [court-assist@flhsmv.gov](mailto:court-assist@flhsmv.gov) or contact Amy Crowson at (850) 617-2589.