


SUBJECT RECOVERY OF NON-SALARY SUMS FROM MEMBERS	POLICY NUMBER 5.13	
POLICY MAINTENANCE ADMINISTRATOR: Chief, Bureau of Accounting		
PURPOSE/SCOPE: To establish procedure for the recovery of non-salary sums due the Department from any department member.		

I. AUTHORITY

Section 120.57, Florida Statutes, Additional Procedures

Section 215.34, Florida Statutes, State Funds; Non-Collectable Items

Chapter 28-106.111, Florida Administrative Code, Point of Entry into Proceedings

Chapter 69I-21.004, Florida Administrative Code, Recovery of Non-Salary Sums

Section 17.04, Florida Statutes, Audit and Adjust Accounts

II. DEFINITIONS

A. Non-Salary Sums- Includes, but not limited to, dishonored checks, delinquent accounts receivable and department property.

III. POLICY

As a custodian of taxpayer dollars, the Department is obligated to recover funds owed to the State. The Bureau of Accounting is responsible for recovering such funds for the Department. The Department recognizes that members may owe money to the State for a number of reasons, such as insufficient funds for submitted checks, department property issued to the member that was damaged or lost due to member negligence, reimbursement of disallowed purchases and for other appropriate issues. All members are expected to pay the Department any funds due as determined by the Bureau of Accounting or other appropriate entity.

Executive Director SIGNED ORIGINAL ON FILE	Effective Date 11/15/2004
Page 1 of 3	Revision Date 8/18/2011

STATE OF FLORIDA
Department of Highway Safety and Motor Vehicles

SUBJECT RECOVERY OF NON-SALARY SUMS FROM MEMBERS	POLICY 5.13	PAGE 2 of 3
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IV. PROCEDURES

A. Notification to the Member

1. The Bureau of Accounting will notify the member in writing of the non-salary item(s) to be recovered, the repayment amount, and appropriate contact information. If the non-salary item is a dishonored check, the repayment amount will also include the service fee as provided by Section 215.34, Florida Statutes.
2. The notification will advise the member that the agency can and will seek an involuntary wage deduction unless an agreement as to voluntary repayment or deduction from wages can be reached.
3. The notification will also allow for an administrative hearing as provided for in Section 120.57, Florida Statutes.
4. The notification will be delivered with a transmittal sheet through the member's chain of command. The member will be required to sign the transmittal sheet as proof of receipt of the notification. The transmittal sheet should be returned within five working days to the Bureau of Accounting, Refund Section in room B160, Mailstop 24.

B. Recovery from the Member

1. The member shall submit payment or contact the Bureau of Accounting within 21 calendar days from the date of receipt of the written notification to establish an agreement for voluntary payment or deduction from wages or request an administrative hearing as allowed by Section 120.57, Florida Statutes.
2. Repayment of money owed may be made by personal check, with the exception of a reimbursement for a dishonored check. Reimbursement for a dishonored check may only be made by money order, certified check, or payroll deduction from wages.
3. If the member is unable to repay the exact amount in a lump sum, the member may negotiate a reasonable repayment schedule over a limited time period. The Department will draft a promissory note with the proposed schedule of payments or wage deductions.
4. The Department of Financial Services (DFS) must approve all repayment schedules. The Department will submit the promissory note and supporting documentation to DFS for approval.
5. If no voluntary payment or wage deduction agreement can be reached with the member within two months from the date of the letter of notification to the member, the Department will request DFS to approve an involuntary wage deduction in payment of such debt.

STATE OF FLORIDA
Department of Highway Safety and Motor Vehicles

SUBJECT	POLICY	PAGE
RECOVERY OF NON-SALARY SUMS FROM MEMBERS	5.13	3 of 3

6. The Department will notify the member in writing if an involuntary wage deduction will be taken.

C. Continued Issuance of Dishonored checks

Members routinely issue checks to the Department as payment or reimbursement for various transactions. If a member issues the Department three dishonored checks, that member will be required to tender a money order, certified or cashier's check or authorize payroll deduction for all future payments or reimbursements to the Department or may lose the privilege to participate in the transaction.