

## **Eligibility Requirements for Special Supervision Services:**

### **Driver License Revocation Periods for DUI-s. 322.271, F.S. and s. 322.28, F.S.:**

#### **2<sup>nd</sup> Conviction within 5 Years of 1<sup>st</sup> Conviction:**

- A. Minimum 5 years revocation. May be eligible for hardship reinstatement after 1 year
- Must complete DUI school following conviction
  - Has not driven a motor vehicle for at least 1 year prior to application.
  - Has been alcohol and drug-free for at least 1 year prior to application.

#### **3<sup>rd</sup> Conviction within 10 Years of the 2<sup>nd</sup> Conviction:**

- B. Minimum 10 years revocation. May be eligible for a hardship reinstatement after 2 years
- Must complete DUI school following conviction
  - Has not driven a motor vehicle for at least 1 year prior to application
  - Has been alcohol and drug-free for at least 1 year prior to application.

#### **4<sup>th</sup> Conviction (regardless of when *prior convictions* occurred) and Murder with Motor Vehicle:**

- C. Mandatory permanent revocation. **Refer to DUI Manslaughter Requirements.**

#### ***DUI Manslaughter:***

- D. Mandatory permanent revocation. If no prior DUI related convictions, may be eligible for hardship reinstatement after 5 years have expired from date of revocation or expired from date of term of incarceration.
- Must complete DUI school following conviction
  - Has not been arrested for a drug-related offense for at least 5 years.
  - Has not driven a motor vehicle for at least 5 years prior to application.
  - Has been alcohol and drug-free for at least 5 years prior to application.

#### ***Manslaughter, DUI Serious Bodily Injury, or Vehicular Homicide Convictions:***

- E. Minimum 3-year revocation. DUI Serious Bodily Injury having prior DUI conviction is same as "B-D" above.

## **IMPORTANT**

Registration in the DUI Special Supervision Services is voluntary and NOT a guarantee of approval. Any decision by the DHSMV based on a non-recommendation by the DUI SSS program is appealable under the provisions of Sec. 322.31, Florida Statutes. **No fee waivers or refunds will be granted.**

#### **The following fees are incurred if accepted into the SSS program:**

- \$55 monthly appointment fee required to schedule
- \$10 monthly fee required to access and review IID reports
- \$39 twice yearly for FDLE and MVR required processing fees
- \$15 yearly for State Anniversary fee
- Other fees apply for chemical testing when required
- Medical record fees charged by medical providers (if applicable during the application process and/or while enrolled in the program). Florida Statute 395.3025 states that charges for copies of medical records are allowed. Any fees for said records will be your financial responsibility.

#### **The following requirements, at a minimum, will apply if accepted into the SSS program:**

- Attend all scheduled appointments
- Make all required payments
- Maintain sobriety and abstain from all illicit drug use
- Maintain a safe driving record
- Cooperate with all requests made by the program including chemical testing and treatment attendance if recommended
- Participate in support group activities/self-help meetings

## **Application Procedure:**

**IMPORTANT: In order to apply with our program, you must live, work or attend school in one of the following counties: Brevard, Orange, Osceola or Seminole. Proof will be required.**

1. **Contact your local DHSMV Bureau of Administrative Review office to request an eligibility hearing. If granted eligibility to proceed to apply, the pre-screening process must occur within 30 days of the hearing. Review of the *Special Supervision Services Information Sheet* in its entirety is required prior to the pre-screening process (pages 3-5).**
2. **Visit your closest Florida Safety Council office to complete the pre-screening process between the hours of 8:00 a.m. - 3:00 p.m. Monday-Friday. The following must be obtained and provided at this time:**
  - ❑ Eligibility Letter from the Bureau of Administrative Review (less than 30 days from issuance)
  - ❑ Valid photo ID with **current address**
  - ❑ Certificate of completion from DUI School attendance following last conviction (duplicate can be purchased if completed with our agency)
  - ❑ Certificate of completion from substance abuse treatment following last conviction or proof of current participation in treatment
  - ❑ \$25 pre-screening fee (payable by cash, money order or credit/debit card)
    - ❖ Please note that a service fee will apply if using a credit/debit card
3. **Upon completion of your pre-screening, your documents will be forwarded to the appropriate Florida Safety Council staff. Your pre-screening documents will be reviewed and if eligible to proceed with the registration process, you will be contacted to schedule your registration appointment. The following must be hand-written or typed and provided at this appointment:**
  - ❑ Complete names and mailing addresses of the records departments for any of the following that you've received services in the last one (1) year:
    - Medical providers to include doctors, hospitals, clinics or dentists
      - ✓ *Permanent Revocation applicants: provide the last five (5) years*
    - Treatment agencies to include substance abuse and mental health
      - ✓ *Permanent Revocation applicants: provide the last five (5) years.*
  - ❑ Name and mailing address of your DUI substance abuse treatment agency following last conviction

**You will need to contact the above mentioned agencies to obtain their mailing addresses where requests for records must be sent. It is your responsibility to ensure the addresses you provide to us are accurate. Failure to do so will delay your application.**

  - ❑ List of names of three (3) character references (non-related to you) that have known you for more than one (1) year. For example: friends, employer, co-workers, neighbors, etc.
    - ✓ *Permanent Revocation applicants: for more than five (5) years.*
  - ❑ \$351 to include the registration fee and any objective testing (payable by cash, money order or credit/debit card)
    - ❖ Please note that a service fee will apply if using a credit/debit card.
4. **Following your registration appointment, we will request documents needed for your application. Once the Florida Safety Council has received and reviewed all necessary items (*which can take several months*), you will be contacted to schedule your 2-hour evaluation appointment.**
5. **Following the evaluation appointment, our clinical team will staff your case.**
6. **You will be notified of the disposition of your case via certified mail. Please do not call our offices.**
7. **Florida Safety Council will also notify the DHSMV of the disposition of your case.**

## Special Supervision Services Information Sheet

As an applicant for a hearing to Florida Department of Highway Safety and Motor Vehicles (DHSMV), Division of Driver Licenses, for a restricted driver license/permit under the provisions of section 322.271, Florida Statutes, I have been advised of and understand the following procedures and conditions, as noted below.

1. The DHSMV, Division of Driver Licenses, has the full statutory responsibility of granting the restricted driver license to the applicant. Registration in the DUI Special Supervision Services does not imply in any way the Division of Driver Licenses will issue the restricted driver license to the applicant. The restricted driver license, issued by the DHSMV, Division of Driver License, is for employment or business purposes; the DHSMV, Division of Driver Licenses, determines which license, if any, is granted to the applicant. The applicant is also informed that, based on the finding of either the DHSMV, Division of Driver Licenses, or the DUI Special Supervision Services, the applicant may not be granted the restricted driver license. If the restricted driver license is granted by the DHSMV, Division of Driver Licenses, the driver license will be cancelled or revoked if the applicant violates any of the procedures or conditions under the provisions of section 322.271, Florida Statutes.
2. The applicant should note that approval will be denied if any of the following criteria are not met:
  - a. An applicant with a revocation of 5 years or less must wait until the expiration of twelve (12) months after the date the revocation was imposed as a prerequisite to admission into the program and must not have driven within the twelve (12) months prior to reinstatement. An applicant with a revocation of 5 years or less must have not used any drugs for at least the past twelve (12) months. Drugs include alcohol and those so-called non-alcoholic beers or wines which contain less than .5% of alcohol. Consuming medication prescribed for others is considered abuse and shall warrant a negative recommendation for acceptance into the program or cancellation if already in the program. Drugs do not include medication taken according to directions for its intended medicinal purpose.
  - b. An applicant with a revocation of more than 5 years, except those under permanent revocation, must wait at least twenty-four (24) months as a pre-requisite to admission into the program and must not have driven within the twelve (12) months prior to reinstatement. An applicant with a revocation of more than 5 years, except those under permanent revocation, must not have used any drugs for at least twelve (12) months. Drugs include alcohol and those so-called non-alcoholic beers or wines which contain less than .5% of alcohol. Consuming medication prescribed for others is considered abuse and shall warrant a negative recommendation for acceptance into the program, or cancellation if already in the program. Drugs do not include medication taken according to directions for its intended medicinal purpose.
  - c. Effective July 1, 1998, customers under permanent license revocation for four or more DUI convictions, for DUI Manslaughter **with a prior DUI conviction or for murder resulting from the operation of a motor vehicle are not eligible for this program**. Applicants under a permanent license revocation for DUI Manslaughter with **no prior DUI** related convictions:
    - must not have been arrested for a drug related offense during the 5 years preceding the filing of the petition;
    - must not have driven a motor vehicle without a license for at least 5 years prior to the hearing, or for five years after the termination of any term of incarceration under s. 316.193 or former s. 316.1931, whichever date is later;
    - must not have used any drugs for at least 5 years prior to the hearing; and
    - Must have completed a DUI program licensed by the DHSMV. Drugs include alcohol and those so called non alcoholic beers or wines which contain less than .5% of alcohol. Consuming medication prescribed for others is considered abuse and shall warrant a negative recommendation for acceptance into the program or cancellation if already in the program. Drugs do not include medication taken according to directions for its intended medicinal purpose.
3. I understand that under section 322.271, Florida Statutes, the DHSMV, Division of Driver Licenses, will perform a field investigation regarding my driving and drinking behaviors, and that the results of this investigation shall be considered by the DHSMV to determine if any restricted driver license/permit shall be issued.

### Special Supervision Services Information Sheet

4. I must register in the DUI Special Supervision Services to begin the process required for the DHSMV, Division of Driver Licenses hearing, and if approved for the restricted driver license/permit, I must remain in the DUI Special Supervision Services and must abide by the rules and regulations established for this program. The regulations require that I register in the DUI Special Supervision Services approved for the county of my residence, employment, or school of attendance.
5. I will be required to fill out in their entirety certain forms requesting information of a personal nature for entrance into the DUI Special Supervision Services, and any subsequent forms required while I am enrolled in the DUI Special Supervision Services.
6. I will be required to pay the established fee of the DUI Special Supervision Services, which includes a screening eligibility fee of \$25.00, an initial entrance fee of \$275.00, supervision fees of \$55.00 per visit, and miscellaneous fees at periodic intervals, for certain required records from the DHSMV, Division of Driver Licenses, other agencies, courts, and/or clerks of court. Should I miss a scheduled appointment at the program or be tardy for a scheduled appointment, I will be required to pay for any absence or tardy arrival at \$55.00 per appointment. Fees paid to the DUI Special Supervision Services are not refundable for any reason.
7. I will be required to release and pay for driver license records and criminal arrest/convictions records on my entrance in the program and at standard intervals of six months thereafter.
8. I will be required to be under the supervision of the DUI Special Supervision Services by Florida law for the remaining period of the driver license revocation with the provision that my restricted driver license remains in good standing with the DHSMV, Division of Driver Licenses. I will be required to have supervision sessions at least monthly during the first year of the regular supervision period, once every other month for the second year and once a quarter for the third year and the fourth year. The following years will include a minimum of three visits per year as specified by the DUI Special Supervision Services except for those under permanent revocation.
9. I understand that should I be absent or late for an appointment at the DUI Special Supervision Services, I am required to contact the program within 5 business days of the missed appointment. I understand that if I do not contact the program in this time frame that a notice will be mailed requesting the DHSMV, Division of Driver Licenses to cancel my driver license for missing the scheduled appointment. I understand that if I miss two consecutive appointments the program shall recommend cancellation of the license unless I have good cause for missing the appointment. Good cause is defined as natural disaster, death in the immediate family or illness documented by the attending physician.
10. I understand the DUI Special Supervision Services may require me to undergo treatment for an alcohol or other drug problem at an agency other than the DUI Special Supervision Services. I will be required to pay for any required treatment. In the event I do not attend the required treatment, I understand the DUI Special Supervision Services will recommend to the DHSMV, Division of Driver Licenses, that my restricted driver license be cancelled for failure to follow the requirements of the DUI Special Supervision Services, as provided by law.
11. I understand the DUI Special Supervision Services will require me to execute a standardized, Statement of Abstinence, HSMV Form 77014, acknowledging and stating that I will not be allowed for the entire period of enrollment in the DUI Special Supervision Services to consume any alcohol, will not be allowed to use any controlled (illegal) drugs, will not abuse any medication prescribed by any individual licensed to prescribe or administer medication in the State of Florida, and will not abuse any medication or drugs sold over the counter. I understand that in the event I violate this regulation, the DUI Special Supervision Services is required to recommend to the DHSMV, Division of Driver License, that my restricted driver license be cancelled for violation of the program regulations.
12. I understand I will be required to provide releases of information, as required by the DUI Special Supervision Services, from community agencies, hospitals, or any organization or person who provided services as identified by the client/applicant and I understand I am responsible for any charges from any agency for any required information released to the DUI

### Special Supervision Services Information Sheet

Special Supervision Services. I understand that the DUI Special Supervision Services may require me to bring one or more significant persons in my life to verify information that has been provided by me.

13. I understand that I will be subject to chemical testing for use of alcohol or any other drug, from time to time, by the DUI Special Supervision Services. If the DUI Special Supervision Services requires any chemical testing for alcohol or other drug use, I will be required to pay for the chemical testing. This testing shall be conducted through blood when testing for alcohol and through urine for other drugs. I understand in the event I do not follow through with the required testing in the time frame designated by the DUI Special Supervision Services, the program will recommend to the DHSMV, Division of Driver Licenses, that my restricted driver license be cancelled for failure or refusal to take the required tests, as directed by the DUI Special Supervision Services.
14. I understand that I must abide by all the terms and conditions specified by the DUI Special Supervision Services. I understand the requirements and procedures of the DUI Special Supervision Services may change from time to time as approved by the Department. I also understand that I am subject to any changes in the requirements and procedures of the DUI Special Supervision Services.
15. I understand that I am entitled to request a summary of any records the DUI Special Supervision Services may have regarding me and my participation in this program.
16. If I receive an unfavorable initial recommendation by the DUI program concerning eligibility, I may appeal this decision through the appeal process as established in the Administrative Rules. If I am accepted into the Special Supervision Services and then receive a recommendation for termination, I shall be allowed to appeal such recommendation through the appeal process as established in the Administrative Rules. In such cases where the recommendation is for cancellation, the DUI program will submit notice to the DHSMV, which may result in cancellation, prior to completion of the appellate process. In all cases the final decision on driver license action will be made by the DHSMV. I understand any final order of the DHSMV, Division of Driver Licenses, that is based upon an adverse recommendation of a DUI Special Supervision Services shall be appealable in the manner and within the time provided by the Florida Rules of Appellate Procedure only by a writ of certiorari issued by the Circuit Court, under the provisions of section 322.31, Florida Statutes.
17. I fully understand the conditions set forth above, and agree to abide by such while in the DUI Special Supervision Services. I also understand that my failure to abide by the conditions set forth above will cause the DUI Special Supervision Services to recommend to the DHSMV, Division of Driver Licenses, that my participation in the program is terminated and where applicable the restricted driver license be cancelled.