

ORDINANCE 2004 - 31

AN ORDINANCE CREATING THE "DRIVER EDUCATION SAFETY TRUST FUND", PROVIDING FOR DEFINITIONS; PROVIDING FOR CREATION OF DRIVER EDUCATION SAFETY TRUST FUND, COLLECTION OF AN ADDITIONAL \$3.00 WITH EACH CIVIL TRAFFIC PENALTY TO BE DEPOSITED INTO THE DRIVER EDUCATION SAFETY TRUST FUND, AND ACCOUNTING; PROVIDING FOR DISBURSEMENTS OF DRIVER EDUCATION SAFETY TRUST FUND MONIES; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Whereas, Section 98, Chapter 2002-20, Laws of Florida, known as the "Dori Slosberg Driver Education Safety Act", authorizes counties to enact an ordinance requiring the Clerk of the Court to collect an additional three and no/100 dollars (\$3.00) with each civil traffic penalty to be used to fund traffic education programs in public and non-public schools; and

WHEREAS, Nassau County is otherwise empowered under Chapter 125, Florida Statutes, to enact ordinances and perform acts which are in the common interest of the people of the County; and

WHEREAS, the Board of County Commissioners desires to protect the health, safety, and welfare of the citizens of the County by promoting driver education through the collection and disbursement of such funds; and

NOW, THEREFORE, BE IT ORDAINED this 28th day of June, 2004, by the Board of County Commissioners of Nassau County, Florida, as follows:

Section One. The Dori Slosberg Driver Education Safety Act.

Definitions.

1. "Board of County Commissioners" shall mean the Board of County Commissioners of Nassau County, Florida.

2. "Clerk" shall mean the Clerk of the Circuit and County Courts of Nassau County, Florida.

3. "County" shall mean the incorporated and unincorporated areas of Nassau County, Florida.

4. The "County Administrator" shall be the County Administrator or his/her successor or designated representative.

5. "Direct Education Expenses" shall mean to purchase cars, gas, oil, instructor salaries, instructor license fees, simulators, and all required equipment, videos, CD's, VHS tapes, books, supplies, site license, insurance, printing costs, installation of extra brakes, State licenses, vehicle tags, car and office telephone bills, and any additional equipment to meet the special needs population requirements for driver education.

Section Two. Creation of a Driver Education Safety Trust Fund, Collection of an Additional \$3.00 with each Civil Traffic Penalty to be Deposited in the Driver Education Safety trust Fund, and Accounting.

1. Pursuant to the Dori Slosberg Driver Education Safety Act, on or after October 1, 2004, the Clerk shall collect an additional \$3.00 with each civil traffic penalty levied in Nassau County, to be used for driver education programs.

2. The Clerk will keep a record of monies collected under this Ordinance. On a monthly basis, the Clerk shall forward all monies collected under this Ordinance in the previous month to the Board of County Commissioners for deposit into a special and separate account entitled "Driver Education Safety Trust Fund". Once each quarter, the Board of County Commissioners shall receive a report from the County Administrator as to the amount of money received from the Clerk and deposited into the Driver Education Safety Trust Fund, and as to the amount of money disbursed from the Driver Education Safety Trust Fund.

Section Three. Disbursement of Driver Education Safety Trust Fund.

1. Monies deposited into the Driver Education Safety Trust Fund shall be used to financially assist driver

education safety programs in public schools in the County. The funds shall be used for direct education expenses as defined herein and shall not be used for administration costs.

2. Annually on the first business day of the fiscal year, one hundred percent (100%) of the funds collected under this Ordinance shall be disbursed to the School Board of Nassau County for driver education programs in the public and non-public schools as provided in Florida Statutes, Section 318.1215.

Section 4. Applicability. This Ordinance shall apply to all civil traffic penalties levied in the incorporated and unincorporated areas of Nassau County.

Section 5. Severability. If any provisions of this Ordinance or the application thereof to any person or circumstance is held invalid, it is the intent of the Board of County Commissioners that the invalidity shall not affect other provisions or applications of this Ordinance, which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared severable.

Section 6. Effective Date. This Ordinance shall take effect upon filing a copy of this Ordinance with the

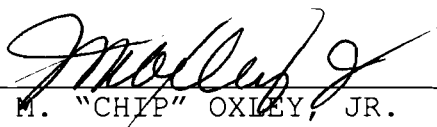
Secretary of State.

BOARD OF COUNTY COMMISSIONERS
NASSAU COUNTY, FLORIDA



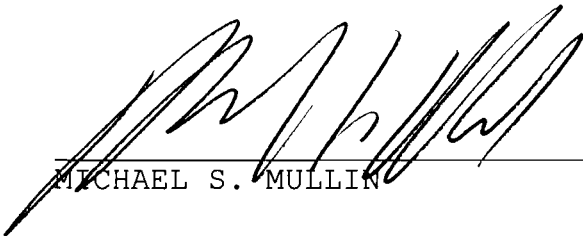
FLOYD L. VANZANT
Its: Chairman

ATTEST:



J. M. "CHIP" OXLEY, JR.
Its: Ex-Officio Clerk

Approved as to form by the
Nassau County Attorney



MICHAEL S. MULLIN

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