

C7 AD A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, HIGHLIGHTING THE SIGNIFICANCE OF THE INCREASING RISKS POSED BY DANGEROUS AND ILLEGAL DRIVING BY MOTOR VEHICLE OPERATORS WITH SUSPENDED OR REVOKED DRIVER'S LICENSES; AND URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION INCREASING PENALTIES AND IMPOSING MINIMUM MANDATORY PERIODS OF INCARCERATION FOR SUCH OFFENSES; AND FURTHER, URGING THE COURTS TO PRIORITIZE THE ADJUDICATION OF THESE CASES AND TO IMPLEMENT STRONGER MEASURES TO DETER REPEAT OFFENDERS.

Applicable Area:

MIAMI BEACH

COMMISSION MEMORANDUM

TO: Honorable Mayor and Members of the City Commission

FROM: City Attorney Ricardo J. Dopico

DATE: May 21, 2025

TITLE: A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, HIGHLIGHTING THE SIGNIFICANCE OF THE INCREASING RISKS POSED BY DANGEROUS AND ILLEGAL DRIVING BY MOTOR VEHICLE OPERATORS WITH SUSPENDED OR REVOKED DRIVER'S LICENSES; AND URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION INCREASING PENALTIES AND IMPOSING MINIMUM MANDATORY PERIODS OF INCARCERATION FOR SUCH OFFENSES; AND FURTHER, URGING THE COURTS TO PRIORITIZE THE ADJUDICATION OF THESE CASES AND TO IMPLEMENT STRONGER MEASURES TO DETER REPEAT OFFENDERS.

RECOMMENDATION

BACKGROUND/HISTORY

ANALYSIS

The attached Resolution was prepared at the request of the sponsor, Mayor Steven Meiner.

FISCAL IMPACT STATEMENT

N/A.

Does this Ordinance require a Business Impact Estimate?

(FOR ORDINANCES ONLY)

If applicable, the Business Impact Estimate (BIE) was published on:

See BIE at: <https://www.miamibeachfl.gov/city-hall/city-clerk/meeting-notices/>

FINANCIAL INFORMATION

CONCLUSION

Applicable Area

Citywide

**Is this a "Residents Right to Know" item,
pursuant to City Code Section 2-17?**

**Is this item related to a G.O. Bond
Project?**

No

**Was this Agenda Item initially requested by a lobbyist which, as defined in Code Sec. 2-481,
includes a principal engaged in lobbying?** No

If so, specify the name of lobbyist(s) and principal(s):

Department

City Attorney

Sponsor(s)

Mayor Steven Meiner

Co-sponsor(s)

Condensed Title

Highlight Significance of Suspended License Driving Offenses. (Meiner) CA

Previous Action (For City Clerk Use Only)

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, HIGHLIGHTING THE SIGNIFICANCE OF THE INCREASING RISKS POSED BY DANGEROUS AND ILLEGAL DRIVING BY MOTOR VEHICLE OPERATORS WITH SUSPENDED OR REVOKED DRIVER'S LICENSES; AND URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION INCREASING PENALTIES AND IMPOSING MINIMUM MANDATORY PERIODS OF INCARCERATION FOR SUCH OFFENSES; AND FURTHER, URGING THE COURTS TO PRIORITIZE THE ADJUDICATION OF THESE CASES AND TO IMPLEMENT STRONGER MEASURES TO DETER REPEAT OFFENDERS.

WHEREAS, the City of Miami Beach ("City") is deeply committed to ensuring the safety and well-being of its residents and visitors; and

WHEREAS, there have been a significant number of incidents involving dangerous and illegal driving behaviors in South Florida including, but not limited to, excessive speeding, reckless driving, driving under the influence, and fleeing from law enforcement; and

WHEREAS, a particularly alarming aspect of this trend is the prevalence of individuals operating motor vehicles with suspended or revoked driver's licenses, demonstrating a blatant disregard for the law and posing a significant threat to public safety by people who are already legally prohibited from driving due to previous driving violation(s); and

WHEREAS, a driver's license can be suspended or revoked for a variety of reasons including accumulating too many points on one's driving record; offenses like driving under the influence ("DUI"); failing to maintain insurance; failing to complete a court-ordered driver improvement school; being a habitual traffic offender; failure to pay fines; or failure to appear at court; and

WHEREAS, individuals who drive with suspended or revoked licenses almost always have a history of traffic violations or other offenses that led to the suspension or revocation in the first place, indicating a heightened risk of further dangerous behavior; and

WHEREAS, traffic courts have demonstrated a pattern of leniency by failing to revoke or suspend the driver's licenses of individuals who repeatedly commit traffic offenses, thereby allowing such individuals to continue endangering public safety on the roads; and

WHEREAS, in numerous cases traffic courts have permitted the reinstatement of driver's licenses for repeat offenders without imposing adequate penalties or requiring meaningful rehabilitation, undermining the deterrent effect of traffic laws and contributing to a cycle of continued violations; and

WHEREAS, in addition, the current penalties for operating a vehicle with a suspended or revoked license may not be sufficient to deter this dangerous practice and adequately protect the community; and

WHEREAS, currently, driving on a suspended license with knowledge is a criminal offense, and the penalties escalate with each subsequent conviction, as follows: First Conviction

- second-degree misdemeanor punishable by a fine of up to \$500 and/or up to 60 days in jail; Second conviction - first-degree misdemeanor punishable by a fine of up to \$1,000 and/or up to 1 year in jail; Third or subsequent conviction - third-degree felony punishable by a fine of up to \$5,000 and/or up to 5 years in prison; and

WHEREAS, if a person is convicted of driving with a suspended or revoked license for the third time within a five-year period, they may be designated a Habitual Traffic Offender ("HTO") pursuant to Fla. Stat. § 322.264, which status designation as an HTO results in a mandatory five-year revocation of the person's driver's license; and

WHEREAS, data from the National Highway Traffic Safety Administration ("NHTSA") has shown that a significant percentage (approximately 18.4%) of drivers involved in fatal crashes have invalid licenses (suspended, revoked, or never obtained), and while this data highlights fatalities, it underscores the role of unlicensed drivers in severe accidents, which inherently include injuries; and

WHEREAS, while the dangers of reckless driving and driving with a suspended or revoked license is a nationwide issue, some recent heartbreaking incidents in our region bring the issue into sharp focus; and

WHEREAS, from the local Miami Hurricanes college football player with a troubling driving record who caused the deaths of three people (including two children) to the February Tampa crash where a driver with a suspended license traveling the wrong way killed another motorist and seriously injured her three children, these tragedies vividly demonstrate the urgent need for action; and

WHEREAS, legislative action is needed to increase the penalties for driving with a suspended or revoked license, and to potentially impose minimum mandatory sentences for these offenses, thereby sending a clear message that such behavior will not be tolerated and will be met with significant consequences; and

WHEREAS, it is also crucial for Statewide traffic courts to recognize the severity of these cases, prioritize their adjudication, and implement stricter measures, including but not limited to increased fines, longer periods of license suspension or revocation, and potential vehicle impoundment, particularly for repeat offenders; and

WHEREAS, raising awareness of this critical public safety issue within the Statewide traffic courts can lead to more consistent and effective handling of these dangerous cases; and

WHEREAS, the City believes that a collaborative effort between local enforcement authorities, the Florida State Legislature, and the judicial system (including the criminal courts, traffic courts, and prosecutors) is essential to address this growing problem and create safer roadways for all.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, hereby highlight the significance of the increasing risks posed by dangerous and illegal driving by motor vehicle operators with suspended or revoked driver's licenses; and urging the Florida Legislature to enact legislation increasing penalties and imposing minimum mandatory periods of incarceration for such offenses; and further, urging the courts to prioritize the adjudication of these cases and to implement stronger measures to deter repeat offenders.

PASSED and ADOPTED this ____ day of _____, 2025.

ATTEST:

Steven Meiner, Mayor

Rafael E. Granado, City Clerk

(Sponsored by Mayor Steven Meiner)

APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION



City Attorney

5/14/2025

Date

MAF