

Bill No. HB 4765, 2nd Eng.

Amendment No. \_\_\_\_

| <u>Senate</u> | CHAMBER ACTION | <u>House</u> |
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Senator Ostalkiewicz moved the following amendment to amendment (443136):

**Senate Amendment (with title amendment)**

On page 1, between lines 16 and 17,

insert:

Section 1. Section 316.063, Florida Statutes, is amended to read:

316.063 Duty upon damaging unattended vehicle or other property.--

(1) The driver of any vehicle which collides with, or is involved in a crash ~~an accident~~ with, any vehicle or other property which is unattended, resulting in any damage to such other vehicle or property, shall immediately stop and shall then and there either locate and notify the operator or owner of the vehicle or other property of the driver's name and address and the registration number of the vehicle he or she is driving, or shall attach securely in a conspicuous place in or on the vehicle or other property a written notice giving the driver's name and address and the registration number of

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1 the vehicle he or she is driving, and shall without  
 2 unnecessary delay notify the nearest office of a duly  
 3 authorized police authority. ~~Every such stop shall be made~~  
 4 ~~without obstructing traffic more than is necessary. If a~~  
 5 ~~damaged vehicle is obstructing traffic, the driver shall make~~  
 6 ~~every reasonable effort to move the vehicle or have it moved~~  
 7 ~~so as not to obstruct the regular flow of traffic.~~Any person  
 8 who fails to comply with this subsection commits a misdemeanor  
 9 of the second degree, punishable as provided in s. 775.082 or  
 10 s. 775.083.

11 (2) Every such stop shall be made without obstructing  
 12 traffic more than is necessary. If a damaged vehicle is  
 13 obstructing traffic, the driver shall make every reasonable  
 14 effort to move the vehicle or have it moved so as not to  
 15 obstruct the regular flow of traffic. A violation of this  
 16 subsection is a noncriminal traffic infraction, punishable as  
 17 a nonmoving violation as provided in chapter 318.

18 (3) The law enforcement officer at the scene of a  
 19 crash ~~an accident~~ required to be reported in accordance with  
 20 the provisions of subsection (1) or the law enforcement  
 21 officer receiving a report by a driver as required by  
 22 subsection (1) shall, if part or any of the property damaged  
 23 is a fence or other structure used to house or contain  
 24 livestock, promptly make a reasonable effort to notify the  
 25 owner, occupant, or agent of this damage.

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28 ===== T I T L E A M E N D M E N T =====

29 And the title is amended as follows:

30 On page 56, line 28, after the semicolon

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1 insert:

2           changing the term "accident" to "crash";  
3           revising the penalty for obstructing traffic  
4           upon damaging an unattended vehicle or other  
5           property;

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