

By Senator Rossin

35-39A-99

1 A bill to be entitled
2 An act relating to Palm Beach County; providing
3 for the relief of Robert Rosado for injuries
4 sustained due to the negligence of the county;
5 providing an effective date.
6

7 WHEREAS, on May 8, 1995, a Palm Beach County Fire
8 Rescue truck ran a stop sign and struck the side of a
9 tractor-trailer rig owned and operated by Robert Rosado, a
10 native of Palm Beach County, and
11 WHEREAS, approximately \$13,000 of property damage was
12 done to Mr. Rosado's tractor in this incident, and
13 WHEREAS, Palm Beach County paid for the property damage
14 and the down time for the vehicle and eventually admitted
15 liability for the accident and the lack of any comparative
16 negligence on Mr. Rosado's part, and
17 WHEREAS, as a result of the accident, Mr. Rosado
18 sustained neck and back pain, which resolved itself shortly
19 thereafter, but also suffered a fracture in a lateral aspect
20 of the right thigh bone, and, after a right iliac and bone
21 fracture repair was performed on June 27, 1995, Mr. Rosado's
22 treating physicians testified that he has a permanent injury
23 to his right leg as a result of the accident and surgery, and
24 WHEREAS, Mr. Rosado testified at trial that he was
25 again working full time, but that he has a fairly constant
26 pain in the right leg which makes it difficult for him to
27 perform specified routines of his job, and
28 WHEREAS, he also testified that, in addition to the
29 relatively constant pain, he also experiences increased pain
30 during any change in the weather, and
31

1 WHEREAS, the county refused to settle for the amount
2 requested by Mr. Rosado, and

3 WHEREAS, at the conclusion of a jury trial, the jury
4 entered a verdict, awarding \$225,279 to Mr. Rosado, and

5 WHEREAS, the trial judge also awarded a further amount
6 of \$4,502.78 for costs incurred, and

7 WHEREAS, Palm Beach County has paid \$84,375.27 toward
8 the amount of the judgment and costs owed, NOW, THEREFORE

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10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. The facts stated in the preamble to this
13 act are found and declared to be true.

14 Section 2. Palm Beach County is authorized and
15 directed to compensate Robert Rosado in the amount of \$145,407
16 for injuries and damages sustained, out of the funds of the
17 county not otherwise appropriated.

18 Section 3. This act shall take effect upon becoming a
19 law.