

1 A bill to be entitled
2 An act relating to the Department of
3 Transportation; providing for the relief of
4 Trey Anthony Alls for injuries sustained as a
5 result of departmental negligence; providing an
6 effective date.

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8 WHEREAS, on June 1, 1994, while operating a vehicle on
9 the Main Street Bridge in Jacksonville, Florida, Tiny Ronas
10 Thomas lost control of the vehicle, crossed over into the
11 opposite lane of traffic, and struck a car in which
12 18-month-old Trey Alls was a passenger, and

13 WHEREAS, as a result of this accident, Trey has
14 sustained severe traumatic brain injuries and profound
15 cognitive impairment, has become profoundly developmentally
16 disabled, nonambulatory, and unable to participate in any self
17 care, and is permanently and totally disabled and will require
18 attendant care for the remainder of his life, and

19 WHEREAS, a life-care plan has been prepared detailing
20 Trey's future needs, the life-care plan has been costed out by
21 an economist, and the present monetary value of Trey's
22 economic losses has been set at an amount in excess of \$3
23 million, and

24 WHEREAS, suit was brought in the Circuit Court in and
25 for Duval County, Florida, against the State of Florida,
26 Department of Transportation, and

27 WHEREAS, the suit against the department alleges that
28 the department maintained the center span of the Main Street
29 Bridge in a manner that permitted the decking, when wet, to
30 become dangerously slick, thereby creating a hidden danger for
31 users of the bridge, and

1 WHEREAS, the plaintiff further alleges that the
2 department, having notice of this dangerous condition, was
3 under a duty to maintain the bridge so that it would be
4 reasonably safe for motorists to drive on when the steel
5 decking was wet and to provide warning of the dangerous
6 condition, and

7 WHEREAS, prior to trial, the parties have agreed to
8 settle this case for the total sum of \$1,975,000, and

9 WHEREAS, the parties acknowledge and agree that
10 \$200,000 is to be paid by the department pursuant to Florida's
11 sovereign immunity statute, and

12 WHEREAS, the parties further acknowledge and agree that
13 the remaining sum of \$1,775,000 is payable by the department
14 pursuant to a legislative claim bill, and

15 WHEREAS, the department has agreed to support and
16 assist in the passage of such a claim bill, NOW, THEREFORE,

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

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20 Section 1. The facts stated in the preamble to this
21 act are found and declared to be true.

22 Section 2. The sum of \$1,775,000 is appropriated out
23 of funds in the State Treasury not otherwise appropriated to
24 the credit of the Department of Transportation to be paid to
25 Heather C. Alls, the mother of Trey Anthony Alls, for use in
26 Trey's care.

27 Section 3. The Comptroller is directed to draw his
28 warrant in favor of Heather C. Alls in the sum of \$1,775,000,
29 upon funds in the State Treasury to the credit of the
30 Department of Transportation, and the State Treasurer is
31 directed to pay the same out of such funds.

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Section 4. This act shall take effect upon becoming a law.

SENATE SUMMARY

Provides for the relief of Trey Anthony Alls for injuries sustained as a result of the negligence of the Department of Transportation.