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An act for the relief of Patsy Bauccho;  
providing an appropriation to compensate her  
for injuries and damages she sustained as a  
result of the negligence of a Department of  
Transportation employee; providing an effective  
date.

WHEREAS, on or about April 27, 1998, at approximately  
12:54 p.m., Valentino Bauccho, with his wife Patsy as his  
passenger, was driving south on State Road 93 (also known as  
I-75) in Ocala, Florida, when a Department of Transportation  
vehicle struck their vehicle, and

WHEREAS, the DOT vehicle, driven by a departmental  
employee, had been stopped on the far right shoulder of the  
road, known as the emergency lane, and

WHEREAS, the DOT vehicle traveled from the far right  
shoulder across three southbound lanes, perpendicular to  
oncoming traffic, in an effort to reach a cut-through to make  
a U-turn and proceed in the opposite, or northbound, direction  
on State Road 93, and

WHEREAS, as the DOT driver pulled into the third  
southbound lane, he hit the right front door and right front  
fender of the Baucchos' vehicle as it continued traveling in  
the left lane, and

WHEREAS, the driver of the DOT vehicle admits that he  
never saw the Bauccho vehicle until he hit it, and he also  
admits that he was performing an improper traffic maneuver  
when he hit the plaintiffs, and

1           WHEREAS, the crash caused both vehicles to go out of  
2 control and spin on the highway, and Mrs. Bauccho sustained  
3 serious, permanent injuries, and

4           WHEREAS, the Florida Highway Patrol charged the DOT  
5 employee with improper lane change, and

6           WHEREAS, Mrs. Bauccho received serious and significant  
7 bodily injury as a result of the accident: she lost  
8 four-fifths of her blood; she wore a Foley catheter for 3  
9 months and now is incontinent; she had four fractures of her  
10 pelvis, several breaks of her right wrist, a highly comminuted  
11 fracture of her right femur, a highly comminuted fracture of  
12 her left tibia, a highly comminuted fracture of her left  
13 fibula, a highly comminuted fracture of her right fibula, a  
14 highly comminuted fracture of her right tibia, a highly  
15 comminuted fracture of her big toe, and a significant fracture  
16 of her left ring finger; and she has endured seven surgeries  
17 and is expected to need one or two more surgeries for a  
18 left-knee replacement and a right-hip replacement, and

19           WHEREAS, Mr. Bauccho is now caring for his wife and  
20 doing most of the household work that Mrs. Bauccho did before  
21 the accident, and

22           WHEREAS, Mrs. Bauccho has \$145,428.74 in past medical  
23 bills, and a life-care plan drawn for her projects, in present  
24 value, a lifetime cost of between \$270,986 and \$485,197 for  
25 her medical care, and

26           WHEREAS, litigation relating to these injuries was  
27 pursued, and, upon the filing of a motion for summary  
28 judgment, the Department of Transportation stipulated as to  
29 its liability, and  
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1           WHEREAS, on December 7, 2000, a mutually agreed-upon  
2 mediation was held to determine the amount of damages, and a  
3 settlement in the amount of \$750,000 was reached, and

4           WHEREAS, the Department of Transportation agreed to  
5 pay, on or about December 27, 2000, the sum of \$200,000, the  
6 limit payable under the statutory waiver of sovereign  
7 immunity, and

8           WHEREAS, the department has agreed to affirmatively  
9 support a claim bill for the remaining sum of \$550,000, NOW,  
10 THEREFORE,

11  
12 Be It Enacted by the Legislature of the State of Florida:

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

16           Section 2. The Executive Office of the Governor is  
17 directed to establish spending authority from unappropriated  
18 trust fund balances in the Department of Transportation in the  
19 amount of \$550,000 to a new category titled "Relief: Patsy  
20 Baucco" as relief for injuries and damages sustained.

21           Section 3. The Comptroller is directed to draw a  
22 warrant in favor of Patsy Baucco in accordance with the terms  
23 of the stipulated settlement agreement, in the sum of  
24 \$550,000, which amount includes statutory attorney's fees and  
25 costs, upon funds of the Department of Transportation in the  
26 State Treasury, and the State Treasurer is directed to pay the  
27 same out of such funds in the State Treasury.

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

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