

1 A bill to be entitled
2 An act relating to leaving children unattended
3 or unsupervised in a motor vehicle; amending s.
4 316.6135, F.S.; revising the elements of the
5 noncriminal infraction to prohibit leaving a
6 child younger than a specified age unattended
7 or unsupervised in a motor vehicle for any
8 period of time; increasing a penalty and
9 providing additional penalties; providing an
10 effective date.

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

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14 Section 1. Subsections (1) and (2) of section
15 316.6135, Florida Statutes, are amended to read:

16 316.6135 Leaving children unattended or unsupervised
17 in motor vehicle; penalty; authority of law enforcement
18 officer.--

19 (1) A ~~No~~ parent, legal guardian, or other person at
20 least 12 years of age who is responsible for a child younger
21 than 8 6 years of age may not shall leave such child
22 unattended or unsupervised in a motor vehicle for more than a
23 5-minute period of time and, during that period of 5 minutes
24 or less, at least one window of the motor vehicle must be open
25 ~~a period in excess of 15 minutes; however, no such person~~
26 ~~shall leave a child unattended for any period of time if the~~
27 ~~motor of the vehicle is running or the health of the child is~~
28 ~~in danger.~~

29 (2) Any person who violates ~~the provisions of~~
30 subsection (1) commits ~~is guilty of~~ a noncriminal traffic
31 infraction, punishable by a fine of:

- 1 (a) Not more than ~~\$200~~\$100; ~~or~~
- 2 (b) Not less than \$50 and not more than \$500 if the
- 3 motor of the vehicle was running or the health of the child
- 4 was in danger at the time of the violation; or-
- 5 (c) Not less than \$500 or more than \$1,000 for a
- 6 second or subsequent violation if the motor of the vehicle was
- 7 running or the health of the child was in danger at the time
- 8 of the violation.

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10 This subsection does not preclude prosecution under any other

11 provision of law.

12 Section 2. This act shall take effect July 1, 2003.

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