



HB 0515

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A bill to be entitled  
An act relating to St. Lucie County; providing for the relief of Richard Ebner and Denise Ebner; providing for an appropriation to compensate them for injuries sustained due to the negligence of St. Lucie County; providing for the use of such funds; providing an effective date.

WHEREAS, on February 6, 1996, Richard and Denise Ebner were standing in front of their vehicle off the northbound shoulder of Glades Cut-Off Road in Fort Pierce, Florida, and

WHEREAS, a car was traveling in the northbound lane of Glades Cut-Off Road and approaching the area where the Ebners were parked, and

WHEREAS, a dump truck owned by St. Lucie County, while traveling in the southbound lane, collided with the other car, causing it to strike the Ebner's vehicle and Richard and Denise Ebner, and

WHEREAS, the collision was caused by the negligence of the driver of the St. Lucie County dump truck, and

WHEREAS, as a result of the collision, Richard Ebner sustained a right zygomaticomaxillary complex fracture, right orbital rim and orbital floor fracture, right medial orbital wall fracture, right maxillary sinus wall fractures, LaForte 1 fracture of the right maxilla, right pneumothorax, right basilar skull fracture, concussion, scalp laceration, open bite deformity, trigeminal neuralgia of the first division with overflow, loss of vision in the right eye, and right sepal deformity, and

WHEREAS, Richard Ebner, as a result of such injuries, suffers from almost constant severe shooting pains in his face



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31 and head, frequent migraine headaches, dizziness, fainting,  
 32 memory loss, and loss of concentration, and his mental capacity  
 33 has been greatly reduced, and

34 WHEREAS, Richard Ebner has incurred medical bills in excess  
 35 of \$84,000 as a result of his injuries, and

36 WHEREAS, Denise Ebner, as a result of the collision,  
 37 sustained a torn medial meniscus and tear of the medial  
 38 collateral ligament in her right knee, which required surgical  
 39 arthroscopy, partial medial meniscectomy, and synovectomy of the  
 40 medial compartment, and

41 WHEREAS, Denise Ebner continues to suffer from right-knee  
 42 pain and stiffness, burning sensations in her right leg,  
 43 numbness in her right foot, and lower back pain, and

44 WHEREAS, Denise Ebner has incurred medical bills in excess  
 45 of \$7,000 as a result of her injuries, and

46 WHEREAS, as a result of his injuries, Richard Ebner is no  
 47 longer able to operate his nursery and landscaping business,  
 48 resulting in a loss of revenue which has caused the Ebners to  
 49 mortgage their family home, placing it in danger of foreclosure,  
 50 and

51 WHEREAS, the injuries have financially devastated the  
 52 Ebners and have significantly decreased their quality of life,  
 53 and

54 WHEREAS, the Ebners have received \$15,000 in a settlement  
 55 with the driver of the vehicle that struck them, have received  
 56 \$300,000 from their underinsured motorist insurance carrier, and  
 57 have agreed to a settlement with St. Lucie county in the amount  
 58 of \$200,000, plus an agreement for the county to support a claim  
 59 bill in the amount of \$50,000, NOW, THEREFORE,

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

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

65 Section 2. The Board of County Commissioners of St. Lucie  
66 County is authorized and directed to appropriate from funds of  
67 the county not otherwise appropriated and to draw a warrant in  
68 the sum of \$50,000 payable to Richard Ebner and Denise Ebner to  
69 compensate them for injuries sustained due to the negligence of  
70 St. Lucie County. The funds designated for their benefit shall  
71 be used to pay statutory fees, costs, outstanding medical liens,  
72 and other immediate needs of the claimants.

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