



HB 0875

2003

1 A bill to be entitled

2 An act relating to traffic infractions; amending s.  
3 318.14, F.S.; providing penalties for certain traffic  
4 infractions requiring a mandatory hearing; amending s.  
5 318.19, F.S.; requiring a mandatory hearing for certain  
6 infractions causing bodily injury; providing an effective  
7 date.

8  
9 Be It Enacted by the Legislature of the State of Florida:

10  
11 Section 1. Subsection (5) of section 318.14, Florida  
12 Statutes, is amended to read:

13 318.14 Noncriminal traffic infractions; exception;  
14 procedures.--

15 (5) Any person electing to appear before the designated  
16 official or who is required so to appear shall be deemed to have  
17 waived his or her right to the civil penalty provisions of s.  
18 318.18. The official, after a hearing, shall make a  
19 determination as to whether an infraction has been committed. If  
20 the commission of an infraction has been proven, the official  
21 may impose a civil penalty not to exceed \$500, except that, in  
22 cases involving unlawful speed in a school zone or, involving  
23 unlawful speed in a construction zone, ~~or involving a death~~, the  
24 civil penalty may not exceed \$1,000; or require attendance at a  
25 driver improvement school, or both. If the person is required to  
26 appear before the designated official pursuant to s. 318.19(1)  
27 and is found to have committed the infraction, the designated  
28 official shall impose a civil penalty of \$1,000 in addition to  
29 any other penalties and the person's driver license shall be  
30 suspended for 6 months. If the person is required to appear



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31 before the designated official pursuant to s. 318.19(2) and is  
 32 found to have committed the infraction, the designated official  
 33 shall impose a civil penalty of \$500 in addition to any other  
 34 penalties and the person's driver license shall be suspended for  
 35 3 months. If the person is required to appear before the  
 36 designated official pursuant to s. 318.19(3) and is found to  
 37 have committed the infraction, the designated official shall  
 38 impose a civil penalty of \$200 in addition to any other  
 39 penalties and the person's driver license shall be suspended for  
 40 30 days. If the official determines that no infraction has been  
 41 committed, no costs or penalties shall be imposed and any costs  
 42 or penalties that have been paid shall be returned.

43 Section 2. Section 318.19, Florida Statutes, is amended to  
 44 read:

45 318.19 Infractions requiring a mandatory hearing.--Any  
 46 person cited for the infractions listed in this section shall  
 47 not have the provisions of s. 318.14(2), (4), and (9) available  
 48 to him or her but must appear before the designated official at  
 49 the time and location of the scheduled hearing:

50 (1) Any infraction which results in a crash that causes  
 51 the death of another;

52 (2) Any infraction which results in a crash that causes  
 53 "serious bodily injury" of another as defined in s. 316.1933(1);

54 (3) Any infraction which results in a crash that causes  
 55 any bodily injury not specified in s. 316.1933(1);

56 ~~(4)~~(3) Any infraction of s. 316.172(1)(b); or

57 ~~(5)~~(4) Any infraction of s. 316.520(1) or (2).

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