

By Senator Haridopolos

26-20-04

1 A bill to be entitled
2 An act relating to the City of Fernandina
3 Beach; providing for the relief of Regina
4 Lloyd; authoring and directing the City of
5 Fernandina Beach to compensate Ms. Lloyd for
6 personal injuries that she suffered due to the
7 negligence of an employee of the city;
8 providing for attorney's fees and costs;
9 providing an effective date.

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11 WHEREAS, at approximately 10:00 a.m. on November 11,
12 2002, Regina Lloyd was driving her 1991 Plymouth Lazer and
13 traveling south on 8th Street, a four-lane highway, with two
14 lanes in each direction divided by a grassy median, in the
15 City of Fernandina Beach, Florida, and

16 WHEREAS, Ms. Lloyd was traveling on 8th Street at the
17 posted speed limit of 45 miles per hour and was wearing her
18 seatbelt, and

19 WHEREAS, Ms. Lloyd's two-year-old son, Anthony, was in
20 his car seat belted into the back seat, and

21 WHEREAS, an employee of the City of Fernandina Beach
22 was driving a city-owned garbage truck, traveling north on 8th
23 Street, and

24 WHEREAS, the driver of the garbage truck struck the
25 rear of another vehicle traveling north on 8th Street causing
26 both drivers to lose control of their vehicles, and

27 WHEREAS, as a result of the collision and the loss of
28 control, the garbage truck crossed the grassy median of 8th
29 Street, and

30 WHEREAS, the garbage truck struck a vehicle traveling
31 south on 8th Street, and

1 WHEREAS, as a result of the second collision, the
2 garbage truck rolled over on to the car driven by Ms. Lloyd,
3 crushing her inside her car, and

4 WHEREAS, as a result of the accident, Ms. Lloyd
5 suffered severe injuries, including a broken neck at C6 of her
6 spine, permanently rendering Ms. Lloyd a quadriplegic, and

7 WHEREAS, as a result of the injuries to her back, Ms.
8 Lloyd can no longer perform her current occupation as a
9 Certified Nurse Assistant, and

10 WHEREAS, as a result of these events, Ms. Lloyd,
11 Michael Lloyd, her husband, and Anthony Lloyd, her son, have
12 brought suit against the City of Fernandina Beach, and

13 WHEREAS, the negligence of the employee of the City of
14 Fernandina Beach was the cause of the accident that occurred
15 while the employee was operating the garbage truck in the
16 course and scope of the employee's duties, and

17 WHEREAS, the City of Fernandina Beach has not yet
18 tendered to Ms. Lloyd the sum of \$100,000, which is the
19 statutory limit on waivers of sovereign immunity, and

20 WHEREAS, at the time of the accident, the City of
21 Fernandina Beach was insured for general liability by
22 Preferred Governmental Insurance Trust, but the company has
23 not yet tendered to Ms. Lloyd the policy limits, and

24 WHEREAS, Ms. Lloyd is, therefore, petitioning the
25 Legislature for reimbursement in the amount of \$8 million,
26 NOW, THEREFORE,

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

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

1 Section 2. The City of Fernandina Beach is authorized
2 and directed to appropriate from funds of the city not
3 otherwise appropriated and to draw a warrant in the amount of
4 \$8 million, which amount includes statutory attorney's fees
5 and costs, payable to Regina Lloyd as compensation for
6 injuries and damages sustained by Ms. Lloyd as a result of the
7 negligence of an employee of the city.

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

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