

HB 0683

2004

1 A bill to be entitled
 2 An act relating to Volusia County; providing for the
 3 relief of Cordell Davidson and Veronica Hensley Davidson;
 4 providing for an appropriation to compensate them for
 5 injuries and damages suffered as a result of the
 6 negligence of Volusia County; providing a schedule of
 7 payments; providing an effective date.

8
 9 WHEREAS, at approximately 7:51 p.m. on Saturday, March 6,
 10 1999, Cordell Davidson and his fiancée, Veronica Hensley, were
 11 proceeding south on U.S. Highway 1 in Oak Hill on Mr. Davidson's
 12 motorcycle, and

13 WHEREAS, at the intersection of U.S. Highway 1 and Center
 14 Street, a volunteer fireman who was driving a fire engine owned
 15 by Volusia County began a left-hand turn that placed the fire
 16 engine directly in the path of the motorcycle, with the result
 17 that the two vehicles violently collided, and

18 WHEREAS, both Mr. Davidson and Miss Hensley were crushed
 19 between the vehicles, then propelled airborne well over 100 feet
 20 by the force of the impact, and

21 WHEREAS, an eyewitness testified that the motorcycle was
 22 not exceeding the speed limit, and Mr. Davidson was not cited
 23 for any violations or improper actions, and

24 WHEREAS, the operator of the fire engine was cited by the
 25 Florida Highway Patrol for violating s. 316.122, Florida
 26 Statutes, which requires that a vehicle attempting to turn left
 27 at an intersection yield the right-of-way to any vehicle
 28 approaching from the opposite direction which is close enough to
 29 the intersection so as to constitute an immediate hazard, and

HB 0683

2004

30 WHEREAS, in the accident, Mr. Davidson suffered severe
31 injuries, including multiple rib fractures, bilateral pulmonary
32 contusions, a separation of the pubic symphysis, an open femur
33 fracture, a significant left-heel degloving injury, and a deep
34 laceration to the left upper forearm, which required immediate
35 surgery and necessitated his being on ventilator support, and

36 WHEREAS, during the subsequent months he underwent repeated
37 surgeries, experienced continuing complications, and was advised
38 to have his left leg amputated, a treatment that he declined,
39 and

40 WHEREAS, he continues to have physical therapy for problems
41 with his left leg and must occasionally use a cane or crutches,
42 and

43 WHEREAS, his medical bills total \$1,103,119.80, and the
44 present value of his total economic loss has been estimated at
45 \$1,536,802, and

46 WHEREAS, Miss Hensley, who is now Mrs. Davidson, was
47 airlifted to a hospital after the accident, where her admitting
48 diagnosis was severe blunt trauma to her left lower extremity,
49 fracture of the left femur, liver laceration, spleen laceration,
50 fractured tibia, traumatic pneumothorax, and fracture of the
51 lumbar spine, and

52 WHEREAS, due to irreparable damage to her left leg, that
53 leg was amputated above the knee, and

54 WHEREAS, Mrs. Davidson was approximately 6 months pregnant
55 when this claim bill was submitted and was experiencing problems
56 with her prosthesis as a result of weight gain and prenatal
57 changes in her body, and

58 WHEREAS, Mrs. Davidson's injuries necessitate her
59 occasional use of a wheelchair and have resulted in a medical

HB 0683

2004

60 recommendation that she use a motor scooter during the latter
 61 phase of her pregnancy and to carry her child after its birth,
 62 and

63 WHEREAS, Mrs. Davidson's medical bills total \$113,904.29,
 64 and the present value of her total economic loss has been
 65 estimated at \$1,167,698, and

66 WHEREAS, Volusia County has paid to the Davidsons the
 67 maximum amounts allowed under s. 768.28, Florida Statutes, has
 68 approved an additional settlement of \$4.7 million, and will
 69 support presentation of a claim bill in that amount in the
 70 Florida Legislature, NOW, THEREFORE,

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

73
 74 Section 1. The facts stated in the preamble to this act
 75 are found and declared to be true.

76 Section 2. Volusia County is authorized and directed to
 77 appropriate from funds of the county not otherwise appropriated
 78 and to draw a warrant payable to Mr. and Mrs. Cordell Davidson
 79 for the total amount of \$4.7 million, to compensate them for
 80 injuries and damages sustained as a result of the negligence of
 81 Volusia County, which payment shall be made according to the
 82 following schedule:

- 83 (1) \$1,175,000 on July 1, 2004;
- 84 (2) \$1,175,000 on July 1, 2005;
- 85 (3) \$1,175,000 on July 1, 2006; and
- 86 (4) \$1,175,000 on July 1, 2007.

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